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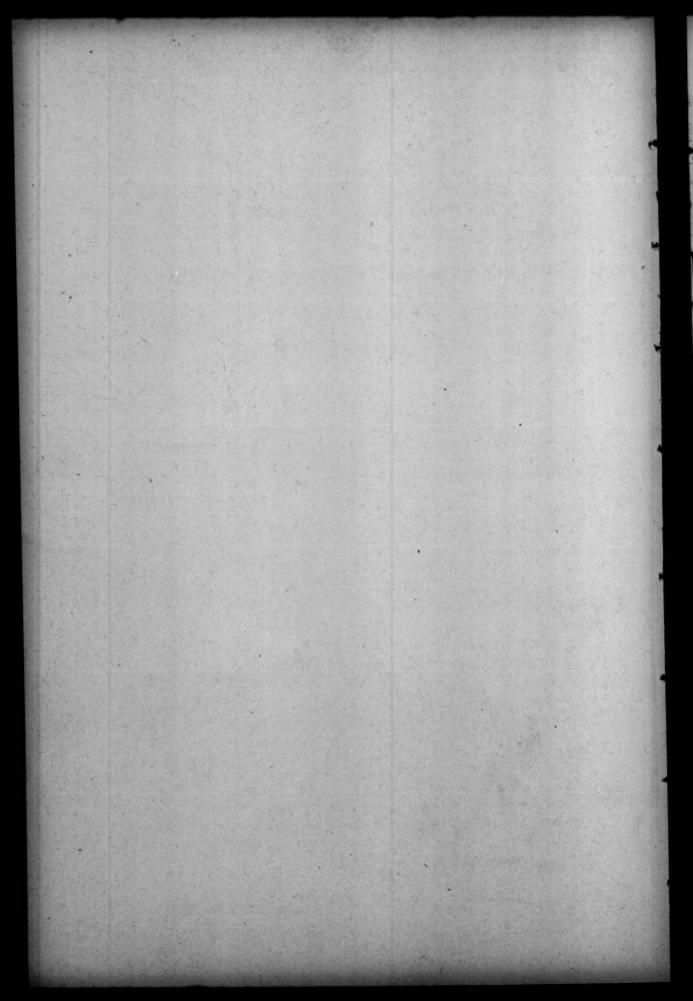
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THE OUACHITA VALLEY EXPEDITION OF DE SOTO

By SALLIE LACY HUMBLE

AUTHOR'S FOREWORD

The study of the Ouachita Valley expedition of DeSoto was undertaken at the request of the Ouachita Valley Historical Society of Monroe, Louisiana.

Dr. John R. Swanton of the Smithsonian Institution, Bureau of American Ethnology, chairman of the United States DeSoto Expedition Commission, and Colonel John R. Fordyce (now deceased) of Hot Springs, Arkansas, contributed much information on the DeSoto route. The author deeply appreciates their kind replies to her inquiries.

Mr. John R, Humble of the Ouachita Abstract Company furnished many valuable maps.

The author's chief debt of gratitude, however, is to Mrs. Charles M. Mitchell of Monroe, Louisiana, who not only permitted the use of her library but has herself made a study of the DeSoto records.

THE OUACHITA VALLEY EXPEDITION OF DE SOTO

The journey of Hernando DeSoto (1539-1542) has long been the subject of widespread speculation and much scientific investigation. This is probably due to the fact that DeSoto was not primarily an explorer; he is perhaps the most renowned of the conquistadores to whom explorations were but incidents of their endless quest for gold. It is not mere idle speculation to muse on the monumental contribution to anthropology these explorers might have made if they had directed their energies to more worthwhile endeavors. But, despite the seemingly unscientific

¹ Henry Clyde Shetrone, The Mound-Builders, 445.

purpose of some of the explorations, the DeSoto narratives furnish us with much valuable information concerning the Indian tribes of the sixteenth century who were then inhabiting the present states of the Lower South. They have also provided a point of departure for much pioneering work in the DeSoto field; for the discoverer of the Mississippi River was also the "first explorer of the South."²

To a greater degree the narratives reveal much of the personality of the great leader. The Governor, so-called in *Elvas*, was "an inflexible man and dry of word," extremely cruel perhaps; but he possessed an indomitable will and was a born master of men. The endless repetition of his desperate thrusts through the savage wilderness rarely caused his followers to lose faith in him and this confidence almost unfailingly sustained them all through the trials of their terrible dangers and in the face of almost insurmountable obstacles. On and on they went exploring and subduing until even their stout hearts must have despaired of a final rescue.

DeSoto set out from Spain with an army of six hundred followers'-knights in arms and gentlemen both Spanish and Portuguese. It is to one of the latter nationality that we are indebted for the "Gentleman of Elvas," long considered the most trustworthy account of the expedition.5 The author's identity has never been positively established. The "Relation of Ranjel," perhaps the most authoritative of the narratives. generally confirms Elvas, but, unfortunately, the part which deals with the Ouachita Valley after Utianque has been lost and the work ends abruptly. Ranjel was DeSoto's private secretary. DeBiedma's "Relation" is the work of the king's factor or quartermaster general of the army; its brief account sheds no light on the Ouachita Valley expedition. Likewise, Garcilasso de la Vegas, though detailed, is obviously embellished and for that reason has been generally discredited as a primary source. However, Dr. Swanton believes it can be profitably used to check and supplement many details of the other narratives. But, because it is the only available source,

² Winslow M. Walker, The Tropville Mounds, Catahoula Parish, La., 56.

^{*} Edward G. Bourne, Narratives of De Soto, I, 69.

⁴ Ibid., I, 10.

s Ibid., I, vii.

Walker, op. cit., 55.

¹ Ibid., 56.

the DeSoto Commission has been forced to rely chiefly upon the "Gentleman of Elvas" for its record of the army's maneuvers in the Ouachita Valley.8

After a brief visit to the island of Cuba, DeSoto and his brilliant company, clad in armor and other trappings of an already decadent age of Chivalry, made their first landing May 30, 1539, on the shores of the North American continent at Tampa Bay, Florida. From that point onward they toiled and fought their weary way through state after state of the Lower South. It was a barren crusade: forlornly they clung to the hope that their conquest of Florida would yield them the returns that had so generously rewarded them in Peru, and this hope held them steadfastly to their purpose. The Spaniards designated the entire region westward from the Atlantic seaboard to the Mississippi River and beyond Florida a part of the same territory which the English called Virginia and the French later Louisiana.

Despite an unrelenting search, Florida stubbornly refused to give up any gold, and the plight of the army grew daily more critical. Ultimately it seemed the wiser course to abandon further explorations into the interior until some contact with the sea could be established. Highly impatient of success, DeSoto had grudgingly decided to dispatch his Captain of the Infantry, Francisco Maldanao with fifty men "to run the coast to the westward and look for an entrance."10 When news reached him that they had located the port of Ochus, he "sent Maldanao to Havana for provisions, with which to meet him at that port of his discovery, to which he would himself come by land; but should he not reach there that summer, then he directed him to go to Havana and return there the next season to await him."11

Meanwhile the succession of events, however disheartening in their achievements, had only served to strengthen the indomitable will of DeSoto and increase his avarice. Particularly was this true of his visit to the queen of the populous province of Cutifachiqui, where he had found an abundant store of pearls. Though his men now footsore and weary were deeply despondent, he felt that he could ill afford to abandon deliberately the gigantic project which he had so rashly undertaken. Hence, as soon as he received

^{*} Letter, John R. Swanton to the author, December 16, 1938.

* Conference on Southern Pre-History, 61.

10 Bourne, op. cit., I, 49.

11 Ibid., I, 50.

word that Maldanao awaited him in the harbor of Ochus, only six miles from Mauilla, where he was then encamped, he forbade his interpreter to convey the slightest information of this to his men. For he was resolutely "determined to send no news of himself until he should have discovered a rich country."12

Incidentally, Mauilla (Elvas), Mabila (Ranjel) was the scene of the most serious tragedy that had yet befallen DeSoto. There, one October night, 1540, the Tascaluca Indians, presumably a Choctaw tribe.13 attempted to trap DeSoto in their village and destroy his army. Their scheme was well-planned; already they had brought into the village the Spaniards' baggage containing their store of gunpowder and much of their equipment and arms. The carriers, whose burdens they had thus relieved, they afterwards secretly armed and employed against their masters. The friendly manner of the Indians had almost succeeded in allaying the fears of DeSoto. Therefore, when their sudden attack came, it took him completely unawares. But he quickly rallied and, with as many of his cavalry and infantry as he could muster, struck in a furious assault and killed two thousand of them.

"Then the Commander," says Ranjel, "invested them on every side until the whole force had come up; and they went up on three sides to set fire to it, first cutting the stockade with axes."14 The Spaniards had deliberately set fire to the village but in so doing suffered terrible losses themselves. "And the fire in its course burned the two hundred odd pounds of pearls that they had, and all their clothes and ornaments, and the sacramental cups, and the moulds for making the wafers, and the wine for saying the mass; and they were left like Arabs, completely stripped after all their hard toil."15

Mauilla, Colonel Fordyce located on the delta between the Black Warrior and Tombigbee rivers opposite Demopolis. Alabama.16

DeSoto remained in Mauilla twenty-eight days until the wounded were able to resume their journey. He then crossed the Tombigbee River on December 16, 1540, and, advancing into the present state of Mississippi, spent Christmas in a small village just west of the present town of Egypt in Chickasaw County.17

¹² Ibid., I 98. 13 Times-Picayune, June 2, 1929. 14 Bourne, op. cit., II, 126. 15 Ibid., II, 126-127. 16 Times-Picayune, June 2, 1929. 17 Ibid.

They remained all winter at Chicaca, the chief village; the weather was unusually cold with a "snowstorm and a heavy fall of snow." The Indians were friendly and freely supplied their wants with presents of food and skins. The chief, however, secretly planned to fall upon the army and annihilate it after he had secured their aid against a refractory vassal and had thereby weakened their forces. His ruse failed, chiefly because the Spaniards distrusted the whole undertaking and remained constantly on their guard.

When the time came to resume their journey, DeSoto demanded two hundred carriers, but the chief slyly postponed to the next day the fulfillment of his request. Forewarned by the chief's attitude, DeSoto purposely remarked to his men: "Tonight is an Indian night. I shall sleep armed and my horse saddled."19 But his warning went unheeded; neither he nor his men kept strict watch; and in the dead hours of the night while the camp slept and unworthy sentries watched, they were awakened by the murderous yells of the savages and the burning timbers overhead. The general confusion, the din of battle, and the darkness of night made it impossible to distinguish friend from foe; the horses stampeded and many of them escaped or were burned in their stalls. The Indians thinking that the cavalry was charging, sought safety in flight, leaving behind only one of their number dead. The failure of the Indians to follow up their advantage probably saved the Spaniards from utter destruction. In this whole affair DeSoto had lost eleven men and fifty horses.

Despite their miraculous escape, the army was now in serious plight, threatened not only with starvation but suffering keenly from cold and nakedness. The fire at Mauilla had destroyed four-fifths of their five hundred swine brought along as emergency food for the army; now at Chicaca, they stood naked and shivering around the fires or slept uneasily, turning half frozen from side to side.

However, they summoned all their resourcefulness to aid their ingenuity, and when the army resumed its march, each man had clothed himself in a fashion to suit his purpose. Some were covered with mats made of dried grass sewed together and worn

¹⁸ Bourne. op. cit., II, 137.

¹⁹ Ibid., II, 133.

after the manner of Indians; others laughed at their clumsy efforts but finally resorted to similar expedients.

Though the clothing problem had been partially solved, they faced more serious dangers; for they were almost stripped of the necessary weapons of defense. What arms had survived the fire had become practically useless and had to be reconditioned. They fashioned lances and the wood of their saddles from the ash tree but were unable to procure any substitute for gunpowder, their whole supply of which had been consumed in the burning of Mauilla and Chicaca. Without guns they could no longer remain on the alert and terrorize the savages into instant submission. Fortunately, they could rely on their swords which their forges had now retempered. Moreover, their present exhausted state would hardly afford them a very awe-inspiring appearance when they should make their inevitable encounters with the hostile tribes of the West.

Nevertheless, DeSoto faced every difficulty with a spirit undaunted. Nor did he once waver in his determination to strike westward and reach the land of which Cabeza de Vaca had spoken. For it was that explorer's extravagant tales of the fabulous wealth of Florida which had persuaded him to embark on an enterprise from which there seemed now no apparent escape.

After foiling a barricade which the Indians set for his journey, the army set out for Quizquiz, which Colonel Fordyce placed on a ridge between Cassidy Bayou on the east and the Sunflower River on the west.²⁰ The whole valley of the Sunflower River is dotted with Indian mounds.

The condition of the Spaniards had now become so critical that they were compelled to reverse their tactics and adopt instead a policy of placating the savages and avoiding all unnecessary hostilities. But when they could no longer eke out their meager supplies, they were compelled to undertake foraging expeditions through several Indian villages in the direction of the Mississippi River. Thus the Great River was discovered by DeSoto on May 11, 1541.²¹ They were finally brought to camp at a village a crossbow shot from the river where food supplies seemed promising. After the disasters of Mauilla and Chicaca, DeSoto

²⁰ Times-Picayune, June 2, 1929.

^{. 21} Bourne, op. cit., II, 137.

deemed it folly to risk further advantages to Indian wiles. He found conditions favorable and the timber supplies of the vicinity sufficiently abundant to remain there until he could build enough boats to transport his army to the west side of the Mississippi River.

Meanwhile frequent interruptions somewhat prolonged the task of the Spaniards. The Indians on every hand showed signs of unusual restlessness at their long delay in the province. Every day the Cacique of the towns about came with his Indian warriors to annoy the Spaniards, but his visits were the occasion for no serious hostilities. The Chief's force usually consisted of about two hundred canoes entirely filled with Indians from bow to stern; each stood majestically erect and held his bow and arrow. The Indians were all painted with ochre and wore great headdresses of feathers, both white and colored. The feathered shields which they also bore were curiously made and under these they sheltered their oarsmen. The scene was very impressive; it resembled an armada of galleys. These Indians seven thousand strong came from the Chief of Pacaha who lived on the other side of the river.22 He finally ordered them to withdraw before the Spaniards crossed the river. Despite their frequent delays, in thirty days the Spaniards had built four boats before they attempted the crossing. This they began one morning before daybreak and in about four hours time had completed it without a single accident to mar the venture. DeSoto had crossed the entire army both horse and infantry from the east to the west side of the Mississippi River.

Elvas describes the river: "The distance was half a league, a man standing on the shore could not be told whether he were a man or something else from the other side. The stream was swift and very deep; the water always flowing turbidly brought along from above many trees and much timber driven onward by its course."28

The DeSoto Commission places the site of the crossing at Sunflower Landing near the present Sherard, Mississippi, southwest of Clarksdale.²⁴ Henry Clyde Shetrone tells of interesting groups of mounds in Coahoma County where Sherard is located.

²² Ibid, II, 138.

²³ Ibid., I, 115.

²⁴ Times-Picayune-New Orleans States, June 11, 1939.

He mentions the fact that "European relics including glass beads and brass bells and points-found in the upper or latest level, indicating long-continued use reaching into early historic times have been found in many of them."25 One mound of unusual type is located at the present site of Clarksdale.

From his observations as an engineer, Colonel Fordyce had long been convinced that Sunflower Landing was the site of the crossing but his convictions did not go unchallenged chiefly because the spot he selected is no longer on the Mississippi. This fact obviously presents one of the many difficulties which the historian must face if he attempts to reconstruct the route which the army of DeSoto followed.

Other claims have been advanced for the crossing. Memphis, Tennessee, has conflicting tablets in two different parts of the city, each professing to mark the exact scene of the crossing.26 Maynard places it at the Fourth Chickasaw Bluff.27 Others would identify the historic episode with Helena,28 Arkansas, but the exhaustive research efforts of the DeSoto Commission give additional weight to their claims.

In attempting to strike the trail with DeSoto, one fact at least is pertinent. The main body of his army was composed of cavalry which made it practically impossible to follow a water route. La Salle's "Examen du Voyage de DeSoto," in translation, supports this fact. "Besides Fernand Soto went on horseback. . . . That is impossible in all the course of the Mississippi where the thickness of the canebrakes is such everwhere that it makes the way very difficult even for a man on foot, who has need of his two hands to cut them away."29 Rivers, always obstacles in the path of DeSoto, must either be forded, cables used, or boats and bridges built before he could attempt a crossing. In most cases his most difficult feat was to gain the other side of a stream and it has become well-nigh impossible to identify with any degree of accuracy the many small streams over which the army of DeSoto must have passed.

When the Spaniards had safely crossed the Mississippi River and resumed their march on the west side, they were now in the

Shetrone, op. cit., 386.
 Memphis Commercial Appeal, March 30, 1930.
 Theodore Maynard, De Soto and the Conquistadores, 229.
 Walker, op. cit., 57.
 Pierre Margry, Découvertes et Établissements, II, 199.

present state of Arkansas. The town of Aquixo was deserted and so they proceeded north toward the province of Pacaha which the Indians had informed DeSoto was nigh Chisca, a region reputedly rich in gold lying on the east side of the river. Dr. Swanton identifies the Yuchi with this locality.30

It was the Indian custom to relate extravagant tales of some far distant country rich in the promise of gold and thereby lure the Spaniards from their course. But their efforts were usually rewarded, for the Spaniards as eagerly sought out the region proclaimed as it unfailingly blasted their hopes. Perhaps the Indians may well be forgiven for their patent attempts to deceive; their eagerness to be rid of the terrifying body of horsemen easily overcame their scruples.

Deeply anxious to explore every possible clue, DeSoto struck the trail northward to Pacaha and in so doing divided his army. Some marched in that direction; others took the pirogues upstream where they found it difficult to wind in and out of the bends in the river and avoid the shore where the Indians were waiting to attack them. When their destination was reached, it was their custom to break up the boats in order to recover the nails and save them for future use.

Meanwhile, in his journey through the towns of Aquixo, DeSoto had learned of the great chief, Casqui. He set out at once for that province which lay on the other side of a stream, evidently the St. Francis River. Casqui probably lived somewhere in the vicinity of Helena. Arkansas.31 The country about is rich in Indian mounds. Monette locates Casqui's province on the banks of the White River.32

Despite many hardships DeSoto toiled his way to the territory of Casqui and pitched camp in the open plain near the largest town in the province—a precaution he had acquired during his long residence in Peru. When he had made camp he was greatly astonished to find the Indians worshipping him as a deity. They brought two blind men before him and implored him to restore their sight. To DeSoto this incident served as a reminder of his long disregarded but never-to-be-forgotten mission to bring the Catholic faith to the savages. In a spirit truly humble, but entirely

Ibid., 70.
 Conference on Southern Pre-History, 71.
 John W. Monette, History of the Valley of the Mississippi, I, 48.

foreign to his nature, he told the wondering Indians of Casqui that he was not a god but there was One on High Who would attend their every petition. To give assurance to his teaching he caused a cross to be raised, and there in full sight of the Indians he knelt in prayer with his army before it. The Indians were deeply impressed and hastened to follow his example; whereupon the wilderness saw a strange sight—the awe-inspiring Spaniards prostrating themselves with the simple savages in front of a rude cross. DeSoto exhorted Casqui to seek the Lord always and He would fulfill their needs.

Casqui was so profoundly impressed with the Spaniards' show of devotion that he made a supreme effort to return their friendship by directing them to Pacaha, a one day's journey distant. They crossed the intervening lake on a cleverly constructed bridge which the chief had built for them. Now the chiefs of Casqui and Pacaha were mortal enemies and this seemed an opportune time for Casqui to wreak vengeance on his old foe while he had an army of horsemen to aid him.

Dr. Swanton identifies Casqui with the Kaskinampo Indians of the 17th century who were found by the La Salle expedition living in that vicinity.33 Many ethnologists have erroneously believed them Quapaws probably because of the similarity of names. The evidence in support of Dr. Swanton's claim follows: The Pacaha Indians, enemies of Casqui, spoke the Tunican language. Tunica Oldfields is an aboriginal site in northwestern Mississippi, north of Clarksdale, opposite the sites occupied by the Pacaha Indians in 1541.34 Ford and Chambers in 1929 found collections of pottery at the old Tunica site of Fort St. Peter on the lower Yazoo River.35

A lake flowing into the Mississippi marked the beginning of Pacaha's territory, but when DeSoto reached the town it was already deserted. The chief had fled in terror before the arrival of the Spaniards and his old enemy, Casqui. DeSoto immediately set out in pursuit and captured many prisoners. He took also much booty-especially the skins of wild animals which furnished cloaks, shoes, and other articles of wearing apparel for the army and armor for the horses.

³² Conference on Southern Pre-History, 63. 32 Ibid., 70. 35 Ibid., 40.

DeSoto entered the territory of Pacaha, June 19, and established his headquarters in the village of the chief, a stockaded town near the lake. This lake the Indians kept stocked with fish through a canal which connected it with the river. Every day spent in the territory of Pacaha found the army feasting on fish of many varieties as a welcome relief to the monotony of their usual diet.

But the friendship between DeSoto and Casqui was a thing of short endurance. The chief correctly suspected that the Spaniards intended to monopolize the spoils of their joint raid on Pacaha. Thereupon he deserted his erstwhile ally, took his share of the loot, and fled to his own province. DeSoto immediately followed and soon overran the whole country. His swift act of retaliation caused both chiefs to change their tactics at once and proffer friendship to their conqueror. Each strove hard to outdo the other in making his offerings of peace.

As a supreme token of his friendship, Casqui presented De-Soto with his daughter and begged him to take her to wife. He humbly implored forgiveness for his act of running away especially in the name of the Cross which DeSoto had left behind him; its miraculous power the Indians had already witnessed. For they had obeyed his injunctions to send up their faithful prayers before it for the relief of their drought-stricken maize fields and straightway there fell a refreshing rain as an answer to their prayers.

DeSoto readily forgave both chiefs and tried to make peace between them; but his attempt to seat them at his own table provoked the quarrel anew. Each chief, jealous of his own rank, strove hard to occupy the seat of honor at DeSoto's right hand. The situation though extremely embarrassing proved somewhat amusing to the Spaniards. DeSoto's quick reassurance that the Christians honored the left equally with the right brought the meal to a satisfactory conclusion.

Before he resumed his march, DeSoto decided to explore the country northwest to find a route which would lead back to Chisca, perhaps the El Dorado of his dreams. As usual the Indians had assured him that the land abounded in copper and gold. An exploring party of thirty horsemen and fifty footmen, sent to determine the truth of their claim, returned after an absence of a few

days in dire extremity to report that the whole country northward was cold and thinly populated. They had encountered herds of cattle (buffalo) so numerous that no maize field was safe from their raiding and their meat furnished food for the inhabitants. Fierce heads of the bulls of these same animals DeSoto had already seen over the door of Casqui's hut.

DeSoto tarried in Pacaha forty days during which time the Indians advised him to continue his way southward toward Aquigate. In view of the unfavorable reports of the territory to the north, he decided to follow their advice. And when the time for his departure arrived both chiefs resumed their practice of gift-making. Pacaha, determined that Casqui should not outdo him, followed his example and gave two of his sisters, Macanoche and Mochila, as wives to DeSoto. Ranjel includes also a lady of rank. Now DeSoto was already married to the Dona Ysabel who was faithfully waiting in Cuba for the return of her conquistador. It was all the more deplorable, wailed the historian, Oviedo, that he should sink so low as to set up a harem in the sight of the whole army.

However, in taking leave of a friendly chief, it had been DeSoto's usual practice to demand a number of carriers for the army—tamemes, they were called. These slaves they chained in the line of march but if any were loosed or the usual vigilance relaxed, they threw down their burdens and made good their escape in flight. Thus it became constantly necessary to seek new recruits along the line of march. DeSoto also exacted a heavy tribute in Indian women for camp servants if not for more unworthy purposes. It was unusual, however, for a chief to feel himself called upon to relinquish the members of his immediate household to DeSoto.

Casqui repaired the bridge over the St. Francis River and DeSoto arrived at Aquigate, a town on Lake Chicot in southeastern Arkansas. The Elvas account mentions a lake which was an arm of the Great River. At one time Dr. Swanton agreed with Colonel Fordyce and placed Aquigate, reported the largest town in Florida, at the Menard mound,³¹ about four miles above the union of the Arkansas and White rivers in Arkansas County, Arkansas. It is more probable that Aquigate was located farther

^{**} Bourne, op. cit., II, 144.
** Conference on Southern Pre-History, 63.

south on Lake Chicot, evidently in or near Lake Village, Arkansas.38 Aquigate, declares Elvas, was one hundred and ten leagues from Pacaha. The country was level and fertile like that of Pacaha and Casqui, and the rich river margins were in cultivation.

DeSoto made his usual inquiry of the country in all directions from Aquigate. He was informed of a mountainous district northwest called Coligoa. This report as usual conviced him that the mountains would reveal veins of gold, which would enable him to locate the fabulous civilization foretold by Cabeza de Vaca.

Dr. Swanton is inclined to identify Coligoa with the later Koroa, 30 a kindred tribe of the Tunica Indians of the Ouachita Plateau. When encountered by La Salle in his memorable descent of the Mississippi, they were then living on the west side about eight or ten leagues below Natchez. Elvas locates Coligoa at the foot of a mountain in the valley of a river of medium size. He proclaims the soil wonderfully fertile; the maize previously ripened was thrown out to make room for the new. Coligoa lay in the vicinity of the Ouachita Mountains, the source of the Ouachita River.

The Indians evidently were trying to lure DeSoto from his course for he traveled four days in the direction of Coligoa and reached the country of the plains Indians. They lived in wigwams; the chief's dwelling was covered in deerskins.

DeSoto found the region wholly unpromising and returned to his base through a sparsely settled district. When the chief saw his treachery revealed, he condescended to direct them to Cayas, the best town of the province. The chief was merely practicing the usual trick of withholding information from DeSoto which would lead him to exploit their great villages. Cayas is easily identified with Hot Springs, Arkansas.40 The "Governor tarried a month in the province of Cayas," says Elvas:

In this time the horses fattened and throve more than they had done at other places in a longer time in consequence of the large quantity of maize there. The blade of it, I think, is the best fodder that grows. The beasts drank so copiously from the very warm and brackish lake that they came near having their bellies swollen with the leaf when they came back from watering.41

^{*} Times-Picayune, June 2, 1929.
** Conference on Southern Pre-History, 63.
40 Times-Picayune, June 2, 1929.
41 Bourne, op. cit., I, 135-136.

Elvas describes the Indian method of making salt. When the river, evidently the Saline,42 an arm of the Ouachita, recedes, it leaves a deposit of sand on the beach. The Indians then collect the sand in baskets which they hang on a ridge pole. In this way the salt water drips from the baskets into earthen vessels placed underneath. It is then strained away from its dirt sediment and evaporated until the clean white salt remains. Salt was widely used as a trade article among the Indians in exchange for shawls and skins. The Spaniards valued it highly, too, and suffered keenly from lack of it. "There was such a want of salt . . . a sick man . . . sinking under pure debility would say: 'Now, if I had but a slice of meat or only a few lumps of salt. I should not thus die'."43

The province of Cayas was full of towns, one of which, Tanico, DeSoto visited. Ranjel differs and says that he missed it.44 It is a common error to underestimate the size of an Indian village. They varied from forty, sixty, or eighty warriors to those of eighty cabins. Many were larger. De la Vente reports that the Natchez, the Tonicas, etc., lived in villages extending six, eight, ten or as many as twenty leagues.45

The chief of Cayas directed DeSoto to Tulla, a province southwest of Cayas. Here the people spoke a strange language and there was no one who could convey to Juan Ortiz any meaning which would be of value to the expedition.

Juan Ortiz was the interpreter, a Spanish youth who had survived the DeNarvaez expedition some years previously. When discovered by DeSoto, he had been living with the Indians so long that he had almost forgotten his native tongue. True to their promise to him, his Indian captors had long before released him to DeSoto and the expedition valued his services so highly it felt that it could not survive without him. With the Indians of Tulla, however, there was no one with whom he could communicate and his efforts as an interpreter proved unavailing.

The Indians of Tulla were warlike; but when DeSoto had punished them severely, they came weeping to make amends and brought him loads of cowskins. These were welcome gifts for the nights were becoming uncomfortably cold and heralded the ap-

⁴² Times-Picayune, June 2, 1929.
43 Bourne, op. cit., I, 56-57.
44 Ibid., II, 147.
45 John R. Swanton, Indian Tribes of the Lower Mississippi Valley, 46.

proach of winter when warm bed-coverings would be needed. Elvas says that the wool of the cowskins was like that of a sheep. which proves that they were buffalo hides. DeSoto was, therefore, among the plains Indians. Dr. Swanton pronounced them Caddos46 because their language was entirely foreign to the inhabitants of Cavas. Caddo Gap is in Montgomery County, Arkansas, near Glenwood. As further evidence, when Dunbar and Hunter made their memorable ascent of the Ouachita River in 1806, they encountered in the same locality warlike Caddos, whom they called Spanish Indians.47

At this point it behooved DeSoto to ponder gravely his future course. The approaching winter made it feasible to turn the army southwest because the northern territory was thinly populated and would afford insufficient winter quarters for the army. Already he had lost two hundred fifty men and more than half as many horses since he had entered the land of Florida; further losses would make his position extremely precarious. The cold, rain, and snow of the next few months would impede travel and the region southward gave greater promise of maize. Perhaps, too, the southern territory might yield some river which would furnish a passage to the sea. There he could execute his plan build two brigantines, one to dispatch to Cuba for provisions and reinforcements, the other to send to New Spain. Furthermore, it was his hope that fresh supplies and timely reinforcements would serve to kindle the long flagging zeal of his followers. Then he would execute his purpose, establish his base at some favorable spot, retrace his course westward, and find the lands of which Cabeza de Vaca had boasted. But the occasion for such a venture was not now propitious and he continued his way southward toward Autiamque, a ten days' journey from Tulla.

Colonel Fordyce would have the DeSoto army cross the ridges to the Caddo River and follow the course of that stream to its mouth near Arkadelphia.48 They then crossed over the Ouachita (river of Cayas) and came to the Indian town of Antiamque, Camden, Arkansas.49 Here the army spent a comfortable winter; the food supplies-maize, beans, walnuts, and dried ameixas were plentiful. They feasted often on conies which the

⁴⁰ Conference on Southern Pre-History, 63. ⁴⁷ Annals of Congress, 9th Cong., 2nd Sess., 1119. ⁴⁸ Times-Picayune, June 2, 1929.

⁴⁰ Ibid.

Indians taught them to snare in the maize fields during freezing or snowy weather.

At Autiamque the Spaniards were wont to remain strictly in camp except on those rare occasions when their supply of firewood was exhausted. Cutting a path through the woods, they then made their fuel gathering expeditions under the protection of the cavalry, DeSoto himself often accompanying them. They took these extreme precautions for fear of a surprise attack from the Indians.

That winter at Autiamque, Juan Ortiz died. As an interpreter, his services had been invaluable to the army and there was no one left to replace him. Without him, it was extremely hazardous to continue the journey southward.

For [says Elvas] without an interpreter, not knowing whither he was traveling, DeSoto feared to enter the country lest he might get lost. . . . The death was so great a hindrance to our going, whether on discovery or out of the country, that to learn of the Indians what would have been rendered in four words, it became necessary now to have a whole day. And oftener than otherwise the very opposite was understood of what was asked; so that many times it happened the road that we traveled one day, or sometimes two or three days, would have to be returned over, wandering up and down lost in thickets.50

From Autiamque DeSoto traveled southward towards Nilco, the present site of Jonesville. Louisiana, the largest Indian settlement in the whole Ouachita area.51 The route in that direction is purely speculative because the accounts are confusing and many details which would otherwise make the narratives intelligible have been omitted.

Elvas records that "on Monday, the sixth day of March, 1542, the Governor set out from Autiamque to seek Nilco which the Indians said was nigh the River Grande, with the purpose, by going to the sea, to recruit his forces."52 The army was reduced to a force of not more than three hundred efficient men and not more than forty horses all of which were suffering from lameness because there was no iron for their shoes. Their present condition made them useful only if an immediate show of cavalry were needed.

Bourne, op. cit., I, 146.
 Letter, John R. Swanton to the author, December 16, 1938.
 Bourne, op. cit., I, 146.

"The Governor went to a province called Ayays, arriving at a town near the river that passed by Cayas and by Autiamque from which he had been ten days in coming."53 The river that passed by Cayas (Hot Springs) and by Autiamque (Camden) from which he had been ten days in coming, was, according to Dr. Swanton and Colonel Fordyce undoubtedly the Ouachita River and with this conclusion it seems only logical to agree. Thus DeSoto passed from southern Arkansas into northern Louisiana, the state in which his weary journey would find an end. Monette places the scene of DeSoto's death twenty miles below the mouth of the Arkansas River.54

What immediately concerns us here is the location of the route which DeSoto followed to Ayays, undoubtedly Monroe or its vicinity. One fact we do know-that he avoided the river whenever he could and with his cavalry followed the ridges. Without an interpreter to guide him, he confesses that he frequently lost his way, wandered aimlessly about and often retraced his course. We know also from his previous record that he kept up a continual search for villages in order to replenish the maize supply for the ever ravenous army. With these facts in mind we can trace his hypothetical course.

One of the routes highly intriguing in probability of direction would have DeSoto follow the ridges and arrive at Ayays by way of Sterlington, Louisiana. Evidence of this site is furnished by the large Indian burying ground at Glendora plantation visited by Clarence B. Moore in 1909. There he unearthed beautiful specimens of pottery, colored plates of which are to be found in his Antiquities of the Ouachita Valley.

It was long the contention of Colonel Fordyce that DeSoto followed this route.55 If he actually did, and in the absence of exact data, all routes must remain purely speculative, he would have arrived at Glendora about the route of Highway 7 from Camden to El Dorado and have continued the course of Bayou L'Outre to Sterlington.

The bayou routes form arresting possibilities of direction because of the abundant evidence of Indian habitation all along the courses of our North Louisiana bayous and streams. Bayou

⁵³ Ibid., I, 147.

Monette, op. cit., I, 54.
Times-Picayune, June 2, 1929.

Bartholomew which flows from southern Arkansas into northern Louisiana is lined with such mounds. One at Keno place about four miles north of Glendora was explored by Moore and specimens of pottery taken from it. Part of Baron Carondelet's plan for the protection of Louisiana, 1795, provided for routes to upper Louisiana entirely west of the Mississippi River. There was to be a route "by way of the Washita River and Bayou Barthelemy to the Arkansas River, and thence by way of the White River, the St. Francis River, and its great tributary, White Water Creek. By this route he had discovered that a practicable water communication with short portages could be opened from New Orleans to the settlements of Upper Louisiana."56 While the French habitually followed a water course, and DeSoto generally avoided one, this route is mentioned merely to show that it was entirely feasible and furnished abundant evidence of Indian habitation.

Another route from Camden passes directly through El Dorado to Indian Village near Calhoun, Louisiana, then due east to West Monroe and probably across from the west to the east side of the Ouachita River where the old bridge now stands. Claiborne Street in West Monroe, leading to the bridge, was formerly the Natchitoches Road. This theory might be more plausible if we knew with some degree of certainty where the village of the Washita Indians was situated; its location awaits positive identification.

There are several old maps which lend support for the route through Indian Village. Lafon's Map of Louisiana, 1806,⁵⁷ shows a crossing from the west to the east side at Fort Miro. A second edition of Darby's Map of Louisiana, 1816-1817,⁵⁸ upon which Dunbar and Hunter relied also shows a crossing at Fort Miro and a road west through the Indian village near Calhoun. The United States Government Survey Map, 1835,⁵⁹ shows the road from the west to the east crossing the river at Fort Miro. A statistical, geographical, and historical map of Louisiana, 1820,⁶⁰ confirms the evidence.

⁵⁶ Monette, op. cit., I, 492.

⁵⁷ Lafon's Map of Louisiana (1806).

Darby's Map of Louisiana (1816-17).

⁵⁰ U. S. Government Survey (1835).

Map of Louisiana (1820).

In his History of Eastern Louisiana, Frederick W. Williamson states:

A "Map of the Indian Tribes of Louisiana," published in 1700, shows the Natchezan, Caddoan and Tunica linguistic groups occupying the northeast area of the present state of Louisiana. The Tunicas held the territory from the Mississippi river . . . on the east through to the Indian Village on the west side of the Ouachita River. The Natchezan group occupied the Concordia and Catahoula area. The Taensas tribe belonged to the Natchezan group, the Washitas to the Caddoan group, and the Koroa tribe to the Tunican group.

According to Kniffen's "Historic Indian Tribes of Louisiana," the Taensas were situated in seven or eight villages near Lake St. Joseph; the Koroa tribe had a village some distance to the west of the Taensas, probably in the vicinity of Sicily Island, and the Washitas were on the Ouachita River. 12

In the "Maison Rouge and Bastrop Land Grants," Mrs. Jennie O'Kelly Mitchell and Robert Dabney Calhoun tell of Bienville's Ouachita expedition, thus:

In the spring and summer of 1700 Bienville made his first exploration of the interior of our northeast Louisiana country. This overland trip was begun at the Taensa village on March 22, 1700; Bienville was accompanied by St. Denis and a considerable retinue. The village of the Ouachita Indians on the bank of that river was reached March 28th. 62

All the routes above mentioned are only possible clues to the trail of DeSoto. Dr. Swanton gives additional evidence:

It is the opinion of the members of the DeSoto Expedition Commission that DeSoto's army marched down along the west side of the Ouachita not necessarily close to the river, and crossed it at Columbia. Then they passed south along the west bank of the river about as the road runs until their advance was blocked by a stream, described as a lake, flowing with a violent current into the river. After being held up here one day they finally got across on rafts and went on to Anilco. We think that the stream was the Boeuf and the place where they came upon it either at its present mouth or at an earlier cross-channel higher up. The province of Anilco we identify with the mound group at Jonesville. We are agreed on the first stages of the journey, but it is evident

el F. W. Williamson and G. T. Goodman, Eastern Louisiana, I, 18.

glacetime J. O. Mitchell and R. D. Calhoun, "The Marquis de Maison Rouge, The Baron de Bastrop, and Colonel Abraham Morhouse: Three Ouachits Valley Soldiers of Fortune", in Louisiana Historical Quarterly, XX (1937), 6 of reprint. Mrs. Mitchell locates this village on the Ouachita River below Monroe.

that the Elvas narrative on which we have to rely leaves something out or describes the actions of the Spaniards imperfectly. The wording of the narrative would indicate that they kept on down the east side of the Ouachita River to Anilco but they must have crossed back at some point. Either when they crossed "the violent current of water," they crossed back to the west side or they recrossed on the old rock ford above Harrisonburg.

We at first thought that the Ouachita was crossed at Monroe but when Luis de Moscoso, DeSoto's successor, led the army to Texas and back, they went and came by the same trail and we are told that they crossed the Rio de Anilco at the same place where they crossed when they first marched south. Monroe would have been too far to the north.⁶³

The Elvas narrative follows:

He ordered a piragua to be built, in which he crossed; and, having arrived on the other shore, there set in such weather that marching was impossible for four days, because of snow. When that ceased to fall, we traveled three days through desert, a region so low, so full of lakes and bad passages, that at one time, for the whole day, the travel lay through water up to the knees in places, in others to the stirrups; and occasionally, for the distance of a few paces, there was swimming. And he came to Tutelpinco, a town untenanted, and found to be without maize, seated near a lake that flowed copiously into the river with a violent current. The Governor traveled all one day along the margin of the lake, seeking for a ford, but could discover none, nor any way to get over. Returning to Tutelpinco at night, the Governor found two friendly natives, who were willing to show him the crossing and the road he was to take.64

In a survey of the course of the Ouachita River from St. Catherine's Landing, Natchez, to Hot Springs and back, the Dunbar and Hunter Expedition, 1806, has much to say of the Ouachita Valley. They speak of the low lands below Columbia and of their being subject to inundation as high as the Post of the Washita (Monroe). Dunbar and Hunter confirm the Elvas narrative of the violent current which they call the "Bayou aux Boeufs." They comment on the swiftness of the stream and the many rapids they encountered. A possible proof of the theory that DeSoto may have crossed the Ouachita in the vicinity of Columbia is the Dunbar and Hunter observation of high banks and the ferry and road some thirty miles south of Monroe that communicated with

64 Bourne, op. cit., I, 147-148.

^{*} Letter, John R. Swanton to the author, December 16, 1938.

Natchez. According to them, this marked the beginning of the Maison Rouge land grant.

In the afternoon of the 31st, they passed a little plantation or settlement on the right, and at night arrived at three others adjoining each other. These settlements are on a plain or prairie, the soil of which we may be assured is alluvial from the regular slope which the land has from the river. The bed of the river is now sufficiently deep to free them from the inconvenience of its inundation; yet in the rear, the waters of the Mississippi approach, and sometimes leave dry but a narrow strip along the bank of the river. . . . At a small distance to the east are extensive cypress swamps, over which the waters of the inundation always stand to the depth of from fifteen to twenty-five feet. On the west side, after passing over the valley of the river, whose breadth varies from a quarter of a mile to two miles, or more, the land assumes a considerable elevation, from one hundred to three hundred feet, and extends all along to the settlements of the Red river. These high lands are reported to be poor, and badly watered, being chiefly what is termed pine barren. There is here a ferry and road of communication between the post of the Washita, and the Natchez, and a fork of this road passes on to the settlement called the Rapids, on Red river, distant from this place by computation one hundred and fifty miles.

On this part of the river lies a considerable tract of land granted by the Spanish Government to the Marquis of Maison Rouge, a French emigrant. . . . It is said to extend from the post of the Washita, with a breadth of two leagues, including the river down to the bayou Calumet; the computed distance of which along the river is called thirty leagues, but supposed not more than twelve in a direct line.

On the 6th of November, in the afternoon, the party arrived at the post of the Washita.⁶⁵

Shetrone also testifies to the importance of the same area: "Archaeological interest in Louisiana centers in the valley of the Ouachita River and in the narrow strip of land drained by the Tensas and Boeuf rivers and Bayou Bartholomew."66

On an old Spanish map, 1797, the purta l'aine' (oldest crossing of the Ouachita River) is located just below the point where the Cheniere au Tondre flows into the Ouachita River. This is the Captain Myatt place where an important Indian burying

⁶⁵ Annals of Congress, 9th Cong., 2nd Sess., 1112.

Shetrone, op. cit., 371. et Luisiana ano 1797.

ground was located. In 1909 Clarence B. Moore visited the spot. Some evidence sustains this as the possible site where DeSoto crossed the Ouachita River. Perhaps there is as much substantiation to the claim for this crossing as for that at Columbia. Let us examine the evidence.

A map of the Maison Rouge Grant, 1850,68 shows the road from the west to the east side of the Ouachita River crossing at the Cheniere au Tondre which confirms the Spanish map of 1797 as to that crossing. The evidence is purely speculative and in the absence of exact data as to the location of the crossing must remain so. However, it is interesting to note that Sterlington, Fort Miro, the Cheniere au Tondre, and Columbia, all have evidence supporting their claims to the crossing. The possibilities of all four routes are intriguing but further details will tend to show why the DeSoto Commission favors the Columbia crossing.

Continuing his journey down the east side of the Ouachita River, De Soto crossed the Boeuf River in the vicinity of Sicily Island, where Indian mounds are plentiful. He continued down to Harrisonburg, probably recrossed the Ouachita, and reached Jonesville on March 29, 1542.

Of Nilco Elvas says:

The Governor arrived at Nilco, making his quarters and those of his people in the town of the Cacique, which was in an open field, that for a quarter of a league over was all inhabited; and at the distance from half a league to a league off were many other large towns in which was a good quantity of maize, beans, walnuts, and dried ameixas. This was the most populous of any country that was seen in Florida, and the most abundant in maize excepting Coca and Apalache.⁶⁹

Other explorers cite Nilco as the most interesting mound group in the whole Ouachita Valley. Dunbar and Hunter found it impressive and Walker says that Major Stoddart who examined it, 1804, "estimated the elevation of the principal summit at eighty feet." Dr. Monette, who visited Jonesville, 1844, said that the principal mound was "about one hundred yards long and fifty yards wide at the base. It rises as a pyramid to the height of thirty feet, then recedes with a terrace on every side, and rises

^{**} Map of Maison Rouge Grant (1850).

** Bourne, op. cit., I, 149.

** Walker, op. cit., 8.

more than thirty feet higher in a conical form. . . . The smaller mounds stand around at unequal distances, varying from two hundred to six hundred yards from the central turret." In The Troyville Mounds, Dr. Winslow Walker says:

The Great Mound may have reached a height of as much as 45 feet at the time when DeSoto and his Spaniards discovered the large capital city of the populous Province of Anilco. . . , and it is likewise probable that there was a wall or palisade around the entire town, as was true in the case of the neighboring towns of Guachoya and Aminoya. Who these Indians of Anilco were we do not know for certain, but from the bits of ethnographical description of their life and customs they show a marked resemblance to the Natchesan-speaking tribes found occupying the region 140 years later.

After the final departure of the Spaniards, possibly to serve as a watchtower to warn of the approach of other invaders, the great truncated cone may have been added to the double-terraced base already built. The summit was probably reached by a spiral path which came out onto a tiny platform just large enough to permit a fire to be kindled on its surface. If this summit platform was only 8 feet in diameter or less, as Dunbar believed it was originally, it would hardly have provided room for any kind of structure in addition to the fire. This Great Mound, now rising 80 feet or more above the surrounding landscape, was one of a series of high mounds which have been discovered extending almost due west from the bluffs at Natchez to the head of Catahoula Lake, and it is not inconceivable that they may have served as signal stations to flash rapid smoke signals to outlying mound villages all over the Black River region, even as far south as Larto Lake.72

Near the site of the present town of Jonesville the Tensas joins the Ouachita River and thereafter it is called the Black. A few hundred yards below their junction, Little River, an outlet of Catahoula Lake, flows in from the west. Thus the location of Jonesville at the place where three rivers converge would lead us to suspect its importance as the site of an Indian province, did not the abundant evidence of high mounds give proof more convincing.

It had been DeSoto's purpose in moving his army south to find the Rio Grande (Mississippi River) and dispatch brigantines to seek reinforcements from Cuba and New Spain. As soon as

⁷¹ Monette, op. cit., I, 268. ⁷² Walker, op. cit., 65.

these arrived, he could then establish some base near the river and from that point continue his operations westward. But until he could secure reinforcements, his most pressing need was to locate some large and well supplied country whose resources could sustain him and his army until he obtained fresh men and supplies to continue his explorations westward. Anilco was populous enough but the Indians were decidedly hostile and fled before his approach. They made stealthy visits to the camp, however, and this necessitated a close watch to forestall any possible attack of the Indians.

The Elvas account which identifies Anilco with Jonesville runs thus: "This river, passing by Anilco, is the same that flows by Cayas and Autiamque, and falls into the River Grande which flows by Pacaha and Aquixo, near the province of Guachoya, the lord of which ascended in canoes to carry war upon him of Nilco." ⁷⁷³

In order that he might form some estimate of the size of the province, DeSoto inquired of the friendly Indians of Guachoya what towns there were farther down the river. The chief replied that he knew of no town but his own, but that opposite was the province of a Cacique called Quigaltam.

"The Governor determined to go to Guachoya within a few days, to learn if the sea were near, or if there were any inhabited territory nigh it, where he might find subsistence whilst those brigantines were building that he desired to send to a country of the Christians."

While DeSoto was busily engaged in crossing his army over the River of Nilco, the Indians from Guachoya became alarmed and their chief, fearing pursuit, moved his tribe and their possessions over to the other side of the Mississippi River. DeSoto followed and the army went down to Guachoya in two divisions; one had covered the distance by land, the other made up of about fifty men in six canoes had gone down the river.

Elvas says that he "took up his quarters in the town of the Cacique which was palisaded, seated a cross-bow shot from the stream, that is there called the River Tamaliseu, Tapatu at Nilco, Mico at Coca and at its entrance is known as the River." ⁷⁵

⁷³ Bourne, op. cit., I, 150.

⁷⁴ Ibid., I, 151. 75 Ibid.

In a letter dated May 17, 1939, Colonel Fordyce observes:

I feel sure that none of us would claim that we know definitely just where the route was located. There are a great many uncertainties and contradictions in the four accounts which have been available to us and there are many changes in the courses of the rivers since the time of De-Soto. . . .

The Ouachita River was the trade route for the Indians who secured the flint or "novaculite rock" from the hills around Hot Springs and then carried it in dugout canoes to Lake Catahoula. The Avoyel Indians who lived on Red River were "the people of the Rocks" and the rocks came from the Arkansas quarry.

The Tensas and Black rivers were at one time a channel of the Mississippi River and the Ouachita River ran into it at Jonesville. When this change took place the geologists have not determined. From what the river engineers know about cut-offs it could have happened since the time of De-Soto. You can see therefore how confusing topography is when you try to reconstruct the possible route.⁷⁶

In a conference on Southern Pre-History, Dr. Walker agrees with Colonel Fordyce:

It is my personal opinion that if we only knew the history of such large mound groups as now appear to be some distance away from the larger rivers, we would find that at the time the mounds were built the rivers ran much nearer them than they do today. If it were possible to determine the length of time required for this shift in the channel, we could perhaps establish the period of the building and occupation of the mounds. It is clear, for instance, that absolute identification of the sites visited by DeSoto along the Mississippi depends on knowing just where the river ran four hundred years ago. The clue may lie in the study of the formations of the larger cut-offs or oxbow lakes so plentiful in the Lower Mississippi Valley.⁷⁷

DeSoto dispatched Juan de Anasco on a foraging expedition up the river from Guachoya. He returned loaded with the usual supply of maize, beans, and dried ameixas, but also with loaves made from the pulp of the fruit, a staple food with the Indians. The supply was sufficient for their present needs but inadequate for the future. Some other source must be found.

But events were now moving swiftly to a fateful climax. The next day the lord of Guachoya came to make peace with DeSoto

Excerpt from Letter, John R. Fordyce to Charles M. Mitchell, May 17, 1939.
 Conference on Southern Pre-History, 47.

who received him in a friendly manner. So poor were their preparations for war, the Spaniards were ready to welcome any opportunity to appease the Indians and avoid unnecessary hostilities.

The chief of Guachoya made haste to inform DeSoto that a powerful tribe of Indians dwelt in the province of Quigaltam. At once DeSoto became suspicious and questioned the chief's motive in supplying the information. Perhaps he was only anxious to rid his country of the presence of bearded strangers or of the cavalry of which the Indians stood in such terror.

Whatever the chief's motive, DeSoto deemed it expedient to send an expedition to Quigaltam to find out for himself the size of the province. Under the leadership of Juan de Anasco they returned after an absence of eight days to report that they had been unable to proceed more than fourteen or fifteen leagues because the entire region was under water. That year marked the overflow of the Mississippi River; the Father of Waters was on one of his usual rampages.

The news filled DeSoto with terrible forebodings; he straight-way began to pine, became gravely ill, and could no longer rise from his bed. Fever wasted his strength but he remembered Mauilla and Chicaca and was not yet so ill that he neglected the safety of the camp. He directed the Spaniards to keep a strict watch on the Indians of Guachoya; to the chief of Quigaltam he made an offer of friendship. He had learned that it was that chief's custom to pay his religious devotions in solemn rites to the Sun. He, therefore, sent word to him that he too was the child of the Sun and whence he came all sent tribute to him in token of their obedience. But to this the haughty chief of Quigaltam made answer:

As to what you say of your being the son of the Sun, if you will cause him to dry up the great river, I will believe you . . . as to the rest, it is not my custom to visit anyone, but rather all, of whom I have ever heard, have come to visit me, to serve and obey me, and pay me tribute, either voluntarily or by force; if you desire to see me, come where I am; if for peace, I will receive you with special good will; if for war, I will await you in my town; but neither for you, nor for any man will I set back one foot.⁷⁸

⁷⁸ Bourne, op. cit., I, 154-155.

It seems almost a certainty to identify the proud chief of Quigaltam with the Natchez Indians whose village site was, in later French times, on the east bank of the Mississippi near the present city of Natchez. In the Natchez War, 1729, they made a treacherous attack on the French and massacred the garrison at Fort Rosalie. Governor Perier then ordered their village destroyed and broke their power as a nation.

The Natchez Indians were famed for their worship of the Sun and, because of this and evidence introduced later in this article, it is but a logical conclusion to identify the Natchez Indians with the former chief of Quigaltam.

By the time DeSoto had received the haughty chief's reply, he had become too ill to punish his insolence. Other troubles were upon him: "the stream was already flowing very powerfully, was nearly half a league broad, sixteen fathoms in height, rushing by in furious torrent, and on either shore were many Indians; nor was his power any longer so great that he might disregard advantages relying on his strength alone."

The Spaniards kept a strict watch on the chief of Guachoya but it was decided that their greater safety demanded that they strike terror to the war-like Indians about them before they were completely outnumbered. Every day saw the Indian forces increasing; the flood for miles around was bringing them in to congregate in the towns about where the mounds were situated.

Encouraged in his resolution by the chief of Guachoya, DeSoto decided to wait no longer and sent his lieutenant, Nuno de Tobar to make a cruel and unwarranted assault on Nilco, a town of five or six thousand souls. The attack was unaccountable in its fury. He gave orders that no male be spared; the horses bore swiftly down on the terror-stricken people while their riders lanced them. The Spaniards killed a hundred men, captured about eighty women and children, and seized great quantities of clothing. The Indians of Guachoya, who had accompanied them, withdrew from the battle and watched it from a distance. When they saw the unusual cruelty of the Spaniards, they returned in haste to tell their chief what they had seen inflicted on the people of Nilco.

Undoubtedly, DeSoto must have believed himself in dire extremity or he would not have taken such cruel and unusual

⁷⁹ Ibid., I, 155.

precautions. The steadily rising waters had caused him to despair of seeking reinforcements and his fevered state made him forego his usual optimism and abandon all hope of escape. He resigned himself to his fate for he had come to believe that the army must surely perish in the land of Florida whence he had come to seek his fortune. His death occurred shortly afterward, May 21, 1542. His Field Marshal, Luis de Moscoso, succeeded him.

According to all evidence now available, the village of Guachoya where DeSoto died was situated on Lake St. John near the present town of Clayton, Louisiana, on the banks of the Tensas River.⁵⁰

Speaking of the report brought back by Juan de Anasco of the thick scrubs and canebrakes below Guachoya, Walker says:

This description fits admirably the swampy lowlands in the Red River delta at the lower end of Concordia Parish, and so far as known there are no groups of mounds on the west side of the Mississippi below Vidalia, but there is a group on the outskirts of Ferriday, which might correspond to the site of Guachoya.⁸¹

The evidence which supports the contention that the vicinity of Clayton, Louisiana, may have been the spot where the death and burial of DeSoto occurred is derived from the numerous Indian mounds scattered about and from evidence of LaSalle's visit to the shores of Lake St. Joseph in the vicinity of Newellton when he made his descent of the river. The Taensas Indians who dwelt along the shores of that lake greeted LaSalle in a friendly manner reminiscent of DeSoto's treatment at the hands of the Indians of Guachoya. The evidence which corroborates this theory is found in Margry's Decouvertes and in other accounts of French explorations. Dr. Swanton has collected much of this information in his Indian Tribes of the Lower Mississippi Valley.

There is a possibility that the tribe, or a portion of it, figures in the DeSoto narratives under the name of Guachoya (Elvas), Guachoia (Garcilasso), or Guachoyanque (Biedma). It was at the place to which these are given that DeSoto died, and soon after that event the Fidalgo of Elvas records that "The chief, thinking within himself that he was dead [although the Spaniards pretended that he had ascended to the skies], ordered two well-proportioned young men to be brought, saying that it was the usage of the country when any lord died to kill some persons, who should accompany and

Times-Picayune, June 2, 1929.
 Walker, op. cit., 59.

serve them on the way, on which account they were brought; and he told him to command their heads to be struck off, that they might go accordingly to attend his friend and master." This is a custom which in later times existed only among the Natchez and the Taënsa, and it is curious that, in the cabin of the Taënsa chief, Nicolas de la Salle states that he saw an old Spanish sword and three old guns. With these two facts in mind the writer is tempted to find Guachoya in the Taënsa town recorded by Iberville as Conchayon. . . . If there were any truth in this identification we should also expect some relationship between the Natchez and DeSoto's Quigaltam (Elvas), or Quigaltanqui (Garcilasso), but no real proof of this exists.⁸²

The La Salle expedition saw many evidences of Spanish visitation to the Tensas—Spanish mail, guns, swords. Though it may be only wishful thinking, it seems, in the light of accumulated evidence, almost certain that the DeSoto expedition must have had communication with the Taensas or other kindred tribe of the Natchesan group of Indians because no Europeans visited the region in the interim between the visits of DeSoto and LaSalle—a period of at least one hundred and forty years.

The exact identification of the village of Guachoya is difficult because Tonti implies that the Taensa had nine villages, in the proces-verbal there are eight, and Iberville was told by a Taensa that there were seven. From our knowledge of Indian villages, they could easily have extended from Lake St. John to Lake St. Joseph. Furthermore, there is no cause for surprise to observe changes of Indian habitation. The village of Aminoya, where Moscoso made ready for his descent to the sea, Colonel Fordyce located above Guachoya on Lake St. Joseph.⁸³

After the death of DeSoto, Luis de Moscoso and the army decided to abandon the ambitious scheme of their dead leader. Instead it seemed more practical to go west and attempt to reach the Spaniards in Mexico. Accordingly they directed their course westward, guided on their way by the friendly Indians of Guachoya. They passed through a province called Catalte, traveled a desert six days' journey in extent, and on the twentieth of the month came to Chaguate. This chief from the Red River country

⁸² Swanton, op. cit., 257-258. Dr. Swanton later identifies Quigaltam with Natchez Indians (Conference on Southern Pre-History, 63). Mrs. Jennie O'Kelly Mitchell also had an interview with Benjamin Paul, Chief of the Chitimacha Indians, at Charenton, Louisiana, in the lower part of St. Mary Parish, September 19, 1934. The Chitimacha pronounced their Taensas tribal name "Tcho-chaw". (Unpublished manuscript of Mr. Mitchell).

⁸³ Walker, op. cit., 60.

had visited DeSoto at Autiamque and had brought him gifts of shawls, skins, and salt. The Cacique at first hid himself from Moscoso, but fearing reprisal, finally made himself known. He took Moscoso to his own residence the distance of a day's journey. Elvas says, "They passed through a small town where there was a lake, and the Indians made salt." Other references to saltmaking follow.

Evidently the region referred to is the salt country near Natchitoches, where such salt domes as Price's and Drake's exist. There are numerous others, notably the one farther north at Lake Bistineau, where the Little Caddos dwelt. Sibley's Exploration of the Red River gives evidence of this country:

About twelve miles north of Natchitoches, on the northeast side of the river, there is a large lake called Lac Noiz. . . . Near this lake are the salt works, from which all the salt that is used in the district is made. . . . The country all round the Sabine and Black lake is vacant, and from thence to Washita, a distance of about one hundred and twenty miles. . . . There is a small stream we cross on the Washita road, the English call it Little river. . . : this stream falls into the Acatahola lake; from thence to Washita, it is called Acatahola river; its course is eastwardly, and falls into Washita, near the mouth of Tensaw, where the road from Natchitoches to Natchez, crosses it: from the confluence of these three rivers, downwards, it is called Black river, which falls into Red river, sixty miles below. There is a good salt spring near the Acatahola lake. *5

From the Second Journal of D'Iberville we have the following, in translation:

There were nearly forty petits Taensas, who had come to see me and offer their services against the Bayogoulas. These Taensas are wanderers, who ordinarily inhabit at three days to the west of this village. . . . My design was to take in this village guides to ascend the river de Marne de la Sablonnière [Red River of Louisiana] Regardless of what I could or would offer them, they did not wish to engage themselves to lead me by that way to the Cadodaquios, saying that they did not know the road through the great Taensas, who are above the Theloelles or Nadchés [Natchez], which is the way they ordinarily go [to the Cadodaquios], when they go by the land route. . . . I believe it will be more proper to go by the Taensas and from there by land to the Nadchitoes and Cadodaquios, where this river passes. 86

The Cadodaquios or Little Caddos lived on Lake Bistineau.

Bourne, op. cit., I, 167.
 Annals of Congress, 9th Cong., 2nd Sess., 1095.
 Margry, op. cit., IV, 408-409.

The foregoing passage and the excerpt from Sibley support evidence of the Natchez Trace which in later times led to Natchitoches and thence to Nacogdoches, Texas. This appears to have been the general route followed by Moscoso.

In substantiation of this theory the Elvas account says that after Moscoso had gone as far as the River Daycao (Trinity, according to Dr. Swanton),87 he decided to return to the Rio Grande, "a distance of one hundred fifty leagues, towards which they had marched always westwardly."88 They returned by the way they had come, left Chaguette, crossed the river at Ayays, and following it down discovered a town which they had not seen before called Chilano. They arrived at Nilco.

The map of the Government Land Survey, 1835,89 Darby's Map, 1816-1817,90 and the Louisiana Map, 182091 show trails leading from Monroe or Fort Miro through Indian Village to the salt country near Natchitoches, also of trails from the salt country into Arkansas. With this evidence in mind one is tempted to say that on his return from Texas, Moscoso crossed the river at Ayays (Monroe or vicinity) and continued the route which DeSoto had previously taken.

But if we revert to Dr. Swanton's theory that the crossing took place at Columbia, Monroe would have been too far north. He bases his belief on the ford which Dunbar and Hunter saw, which connected with the Natchitoches road. Columbia also lies on a more direct route to the salt country. From Guachoya, Monroe would, presumably, have been far off the route. Probably Dr. Swanton's is the logical interpretation of the crossing but the old maps clearly reveal the roads leading to Fort Miro (Monroe) rather than to Columbia.

There is one fact which is indisputable. The first roads followed the Indian trails, the Indian followed the buffalo trace, and the buffalo avoided the immediate water courses and sought the ridges.

The journey of Moscoso sheds much light on the probable route of DeSoto but after all the evidence is accumulated and weighed, we must agree with the authorities that "That part of the route from Utianque to Anilco is scarcely paralleled anywhere for difficulty of interpretation."92

st Conference on Southern Pre-History, 63.
ss Bourne, op. cit., I, 182.
so U. S. Government Survey (1835).
so Darby's Map of Louisiana (1816-17).
st Map of Louisiana (1820).
st Excerpt from Letter, John R. Swanton to Charles M. Mitchell, March 9, 1939.

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DR. JOHN HAMILTON ROBINSON¹

By HAROLD A. BIERCK, JR.

The American frontier was the resort of a variety of char-The hunter, soldier, trader, explorer, traveler, adventurer, and settler all enjoyed its free, sparsely inhabited areas. Their thoughts and activities, their clothing and speech, their interests and desires were unhampered by the conventions and laws of the more densely populated regions. Freedom, with a tendency to lawlessness, gave rise to still another type—the filibuster. Whether American or English, French or Mexican he must be given a place in the story of the frontier, especially in the early nineteenth century. His activities centered primarily on aiding the people of Mexico in their fight for freedom, but motives such as personal gain and desire for leadership were not unknown to him. But he partook somewhat of all the frontier "professions." Such a man was John Hamilton Robinson. He was no mere hunter, trader, explorer, traveler, adventurer, or settler: he was a composite frontiersman.

Robinson was born in Augusta County, Virginia, January 24, 1782.² His parents, David Robinson and Miriam Hamilton,³ were able to send him to medical school—probably in Philadelphia.⁴ Following the completion of his studies there, he removed to St. Louis, Louisiana Territory, at the instigation of Dr. Antoine Saugrain, a man of superior abilities, well known in the Mississippi Valley. There he married on December 24, 1805, Sophie Marie Michau,⁵ whose sister was Saugrain's wife.⁶ In all probability it was Saugrain who introduced Robinson to General James Wilkinson, who at that time contemplated sending an expedition

¹ The writer is indebted to Dr. Joseph B. Lockey for suggesting this study, for placing at the writer's disposal many photostats and transcripts, and for valuable advice in the preparation of the manuscript.

² Louis Houck, A History of Missouri . . . (3 vols.: Chicago, 1908), III, 80; J. A. Morrison, "Doctor John Hamilton Robinson, 1732-1819," Tyler's Quarterly Historical Review and Genealogical Magazine, III, 154-156 (Jan., 1922). The typographical error in Morrison's article is corrected in the text.

³ Frederick L. Billon states that Robinson was a nephew of Alexander Hamilton (Annals of St. Louis in its Territorial Days—From 1804-1821 [St. Louis, 1888], 191). No substantiation could be found for this claim.

⁴ Houck, III, 81; H. Fouré Selter, L'Odyssée Amércaine d'une famille française, le Docteur Antoine Saugrain—Étude suivie de Manuscrits inédits et de la Correspondance de Sophie Michau Robinson (Baltimore, 1936), 74.

⁵ Houck, III, 80; Frederick L. Billon, Annals of St. Louis in its Early Days Under the French and Snanish Dominations (St. Louis, 1886), 479.

⁶ Houck, III, 80.

up the Red River under the command of Lieutenant Zebulon Montgomery Pike.

When the expedition was about to set out, in July, 1806, Wilkinson wrote Pike: "Doctor Robinson will accompany you as a volunteer. He will be furnished medicines, and for accommodation which you give him he is bound to attend your sick."7 Wilkinson's interest in Robinson was more than casual, and Pike on several occasions was careful to report the improvement of his chief's "military protégé.8 The only available evidence showing Robinson's feelings towards the General is a memorial which Robinson and several other army officers stationed at Fort Bellefontaine presented to President Jefferson during the Burr trial, attesting that Wilkinson had no connection whatever with the Burr fiasco.9

Thus Robinson set out with Pike on what was to be one of the most notable journeys of western exploration. The expedition was ordered by Wilkinson with the tacit consent and approval of Jefferson and of Henry Dearborn, Secretary of War. 10 Whatever the evidence to the contrary, Wilkinson was deeply interested in Burr's scheme to invade Mexico; hence his desire to obtain information concerning the territory to be traversed by the expedition.11 Pike's instructions, among other things, called for careful observation of topographical features, distances, and temperatures. He was to obtain botanical and mineralogical specimens and acquire such knowledge of a general nature as would be of value if at some future time an invasion of Mexico by way of Santa Fé should be attempted.12

Robinson may have been the link between the expedition and His last minute appointment by Wilkinson, his intense desire to reach Santa Fé, coupled with his scientific knowledge

⁹ A. S. P.: Misc., I, 577-578.

10 Dearborn writing to Pike on February 24, 1808, stated: "I can with pleasure observe that although the two expeditions you have performed were not previously ordered by the president of the United States, there were frequent communications on the subject of each between Gen. Wilkinson and this department, of which the president was from time to time acquainted..." (ibid.; Coues, II, 844). See also Dearborn to John Montgomery, December 7, 1808, A. S. P.: Misc., I, 942; Coues, II, 842; and Report of Committee, John Montgomery, Chairman, December 16, 1808, A. S. P.: Misc., I, 942.

11 Issac Joslin Cox, "Opening the Santa Fé Trail," Missouri Historical Review, XXV, 30-66 (October, 1930), at 35-46, 49; Coues, II, 504, n. 46. Coues puts the case more strongly: "It is well understood that Pike had secret instructions from the traitor, General Wilkinson, over and beyond those which were estensible; and no doubt the main purpose of his Expedition was to open the way to Santa Fé, with reference to such military operation as then seemed probable." (ibid., 563, n. 2).

12 Wilkinson to Pike, June 24, 1806, A. S. P.: Misc., I, 943.

⁷ American State Papers: Miscellaneous, II, 943; Elliot Coues, ed., The Expeditions of Zebulon Montgomery Pike . . . (3 vols: New York, 1895), II, 566.

⁸ Coues, II, passim. A. S. P.: Misc., I, 577-578.

tend to show that he was working in the interest of Wilkinson, and possibly Burr. 13 But whether he was a spy for Wilkinson and Burr, or a mere disinterested volunteer, Robinson took an active part in the expedition. He constantly forged ahead of the little band, scouting the land, at first on horse, and later on foot through deep snows. He also killed many a deer, buffalo, or bighorn, at times perhaps saving the expedition from starvation.14 His scientific education was invaluable, for Pike had "not the talents nor passions requisite for the Botanist or Mineralogist . . . "; hence Robinson made all observations along these lines. 15 Moreover he was efficient and constant, his health failing him only once, due to "a vertigo which proceeded from some berries he had eaten on the mountains."16

Early in February, 1807, the expedition neared the Conejos River. There Robinson took leave of the party and struck out for Santa Fé.17 In making this move Robinson, in all probablity, acted in accordance with verbal instructions from Wilkinson. He was to go ahead with the pretended purpose of collecting a longstanding debt owed to William Morrison of Kaskaskia, Illinois Territory, by a certain Bautista Lalande in Santa Fé. 18 Pike, aware of the subterfuge, later wrote: "The demands which Dr. Robinson had on persons in New Mexico, although legitimate, were in some degree spurious in his hands."19 His true aims "were to gain a knowledge of the country, its prospect of trade, force, etc. . . . "20

Several days after his departure Robinson was captured by a band of Puta Indians, who surrendered him to Joaquín de Real Alencaster, Spanish commandant at Santa Fé. Alencaster was extremely cautious. He questioned Robinson thoroughly, relieved him of his papers, and placing him under arrest, informed him that he would order Lalande to appear and answer to the claim;

¹³ Cox declares that Robinson was an "additional agent to insure the carrying out of Wilkinson's real object—the exploration of the trail clear to Santa Fé." (Mo. Hist. Rev., XXV, 48). Coues ever certain: "That our friend Robinson was, in plain English, a spy is incontestible." (II, 499, n. 44). Harry R. Burke maintains that Robinson was "on the fringe, to say the least, of the Burr affair. . ." He also claims Robinson, in 1814, offered Burr the command of a filibustering expedition. ("More about Moses Austin," in Missouri Historical Review, XXXIII, 154-156 [excerpt from Burke's article in the St. Louis Globe Democrat, May 6, 1938]).

Coues, II, 365 et passim.
 Pike to Dearborn, January 26, 1808, ibid., 851, n. 4.

¹⁶ Coues, II, 480.

¹⁷ Ibid., 498. 18 Ibid., 500.

¹⁹ Ibid., 499.

²⁰ Ibid., 502.

but this never materialized.21 Robinson's explanation of his presence in Spanish territory was curious. As he told his story to Alencaster, he was a Frenchman, with medicine as his profession. He had left St. Louis in June, 1806, with a party of hunters, but had abandoned them near the Spanish provinces, after which he was captured by the Indians. He also gave Alencaster information about the future intentions of the American government, such as the establishment of numerous forts on the western tributaries of the Mississippi River. In spite of these apparently frank revelations, Alencaster suspected him of being in the employ of Wilkinson and placed him under the charge of Lieutenant Facundo Malgares, a member of the Spanish dragoons who had commanded several expeditions to the Red River country, for conveyance to Chihuahua where he was to be delivered to Nemesio Salcedo, commandant-general of the Internal Provinces of New Spain.22

During the journey to Chihuahua Malgares and Robinson became very friendly. Robinson now confessed that he was a member of the Pike expedition, after which Malgares allowed him greater freedom. Robinson later declared that during this trip he had "practiced physic in the country in order to have an opportunity of examining the manners, customs, etc., of the people, to endeavor to ascertain their political and religious feelings, and to gain every other species of information which would be necessary to our country or ourselves."²³

The lieutenant and his charge reached Chihuahua late in March, and Robinson immediately wrote Salcedo to explain his presence. Admitting that he was a member of the Pike expedition, he stated that General Wilkinson had permitted him to accompany Pike only after "repeated solicitations," and his only object was to see the country and attend to some "pecuniary business." "It is my desire," he declared with manifest insincerity, "to become a vassal of His Catholic Majesty and in that event I have a plan to explain for Your Excellency's consideration and patronage."²⁴

²¹ Ibid., 623-625; Salcedo to Wilkinson, February 16, 1807, ibid., 815.

²² Alencaster to Salcedo, February 16, 1807, Archivo Histórico Nacional, Estado, Legajo 5557, Expediente 10 (all Spanish and Mexican archival material used in this article is located in the Library of Congress in photostatic or transcript form).

²³ Coues, II, 624-625.

²⁴ Robinson to Salcedo, April 8, 1807, A. H. N., Est., Leg. 5557, Exp. 10.

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Two weeks later he wrote again setting forth his plan in detail. He proposed the exploration of all the territory between the Internal Provinces and the unexplored regions to the north. "A knowledge of that country," he said, "especially in this period would appear extremely interesting to the Cortes of Spain, in light of English and American claims." He hinted that the United States Congress was interested in this plan and was already in possession of his memorial advocating the colonization of all United States possessions on the western sea up to fortyfive degrees north latitude. "This," he added, "received the approbation and patronage of the congress." He requested that his plan be kept confidential, for he feared his property in the United States would be confiscated if news of these activities reached home.25 His request apparently was granted; Salcedo made no mention of Robinson's plans in his letters to Wilkinson, nor did Pike complain of any questionable dealings on Robinson's part. Needless to say this scheme had been previously arranged with Pike, and the crafty Salcedo was not caught napping.26

The detention of Pike and his party is well told in his personal diary. After the expedition arrived at Chihuahua in April, 1807, Pike was questioned by Salcedo. When asked if Robinson was a member of his party, Pike, to protect him, replied that he knew of him, but he was not of his party.27 But when Robinson rejoined the expedition, Pike was forced to admit that he had not told the truth. The reunion took place at a small village near. Chihuahua.

I saw a man sitting by the fire reading a book; with blooming cheeks, fine complexion, and a genius-speaking eye, he arose from his seat. It was Robinson! Not that Robinson who left my camp on the headwaters of the Rio del Norte, pale, emaciated, with uncombed locks and beard of eight months' growth, but with fire, unsubdued enterprise, and fortitude. The change was indeed surprising. I started back and exclaimed, "Robinson!" "Yes." "But I do not know you," I replied. "But I know you," he exclaimed; "I would not be unknown to you here, in this land of tyranny and oppression, to avoid all the pains they dare to inflict."28

A few weeks later Pike and party obtained permission to return to the United States.

Id. to id., April 23, 1807, ibid.
 Cox in Mo. Hist. Rev., XXV, 61.
 Coues, II, 608.
 Ibid., 622.

The expedition, Robinson included, left Chihuahua escorted by Spanish dragoons, and reached Natchitoches in June, 1807.29 Shortly afterward, Pike wrote Wilkinson praising Robinson. He was, he said, possessed "of a military turn of mind, and would enter . . . in case of an augmentation of the army, if he could obtain a rank above a subaltern."30 Pike also wrote Dearborn, requesting that any application made by Robinson for any army post be given prompt consideration.³¹ Anxious to return home to his wife and son, who was born in his absence, Robinson quit the expedition soon after it reached Natchitoches, and arrived in St. Louis in July.32

Robinson did not enjoy for long the comforts of St. Louis. He soon received a commission as surgeon's-mate in the army, and went to reside with his family at Fort Bellefontaine.33 Here the monotony of garrison life was broken by the frequent visits of Captain James House, an amateur portrait painter.34 His miniature of Robinson can be found in Louis Houck, History of Missouri. The Robinsons were grateful, both for the portrait and the friendship, and when their second child was born, he was given the name James House.³⁶ But Robinson, ever ambitious, was far from satisfied with his position. His desire for advancement prompted him to write Frederick Bates, secretary of the Louisiana Territory, requesting a recommendation for a vacancy in the Indian Department.³⁷ In this aspiration he was doomed to disappointment, for another was given the post.

Early in 1810 Robinson was transferred to Fort Osage. Here all did not go well. He was charged by the commandant, Lieutenant John Brownson, with tampering with the soldiers of the garrison, and "in a clandestine manner endeavoring to prejudice them against their officers by improper and ungentlemanly insin-

²⁹ John Sibley to Samuel H. Sibley, June 30, 1807: J. P. Whittingham, ed., "The Sibley Papers," Louisiana Historical Quarterly, X, 468-512 (October, 1927), 503.

³⁰ Pike to Wilkinson, July 5, 1807, Coues, II, 834-835.

³¹ Pike to Dearborn, May 27, 1808, ibid., I, lxi.

³² Edward Hamilton Vilamil had been born on October 6, 1806 (Billon, Annals—Territorial Days, 192); Selter, 74; Typed Sketch of John Hamilton Robinson: John H. Robinson Collection, Missouri Historical Society [Hereafter cited as Sketch, Mo. Hist. Soc.]). For a copy of this sketch, and other Robinson materials at the Missouri Historical Society the writer is indebted to Miss Brenda Richard.

³³ Sketch, Mo. Hist. Soc.; Selter, 74; Houck, III, 81. Wm. H. Powell (List of officers of the Army of the United States from 1779 to 1900 [New York, 1900], 47) lists a John H. Robinson as Ensign, 2nd. Regiment of Infantry, commissioned December 12, 1808.

³⁴ Selter, 74. 35 III, 80.

³⁶ Born St. Louis, A Sketch, Mo. Hist. Soc. August 17, 1808 (Billon, Annals-Territorial Days, 192); Selter, 74; Sketch,

³⁷ Robinson to Bates, September 19, 1808, Frederick Bates Collection, Missouri Historical Society.

uations . . . to the injury of the public service, good order and military discipline."38 Accordingly he was forbidden to enter the fort except with Brownson's consent. The incident is not clear, but it seems to forbode Robinson's exit from United States army life, though it did not terminate his military career; for on June 23, 1811, he was commissioned by Ninian Edwards, governor of the Illinois Territory, as aide-de-camp to the Brigadier General of Militia.39 With his wife and sons, now three in number, he went to St. Geneviève, where shortly afterward a daughter was born.40 But the routine of garrison life was not to Robinson's liking, and he again endeavored to obtain a more desirable position; consequently he appealed to the man who knew him best— Pike.

Now influential in army circles, Pike wrote Secretary Monroe in his friend's behalf. Monroe was impressed and in his reply expressed a desire that Robinson come and talk with him.41 They met, it seems, early in June, 1812. What they discussed is not known, though it is fair to assume that the conversation touched upon the Internal Provinces. At least Monroe shortly afterward requested Robinson to communicate his ideas on that subject through Pike. Robinson complied, writing in his own hand a letter which Pike signed. He observed that the country to the west was of vital importance. The presence there of the forceful, iron-willed commandant-general, Nemesio Salcedo, gave it added importance. "I know Salcedo well," said Robinson, "and know him to be jealous of his authority; crafty and suspicious, and that he will hold on to his government as long as possible."42 This opinion eventually proved correct, for Salcedo remained loyal to the crown throughout the revolutionary period.

Monroe was now planning to send a mission to the Internal Provinces. Robinson's knowledge of the geographical and political conditions of the Far West, coupled with his command of French and Spanish, made him the ideal choice for such a mission. Accordingly Monroe gave him the appointment.43 The State

³⁸ Garrison Order, Fort Osage, July 9, 1810, John H. Robinson Collection, Missouri

^{**}Sigarrison Order, Fort Osage, vary 5, 1915, 19

⁴³ James Monroe to whom it may concern, July 1, 1812, A. H. N., Est., Leg. 5557, Exp. 10.

Department had previously set a precedent by dispatching agents to gather information regarding the progress of the struggle for independence in other parts of Spanish America, though none of the other missions was of quite so special a nature as that upon which Robinson was about to embark.

His instructions are enlightening. He was to discuss with Salcedo the dispersion of certain groups of persons who had intruded between Natchitoches and the Spanish settlements. Their actions were dangerous to the peace and welfare of both countries, and, declared Monroe, "It is for their mutual interest that this Banditti should be suppressed." Robinson was authorized to pass through that country, and after observing carefully, he was to "proceed to the seat of government of the Internal Provinces." There he was to broach the question of the United States-Spanish boundary, and to state that the United States wished to make it a subject for amicable negotiation. He was to assure the commandant-general that the United States desired to remain on friendly terms with the Spanish provinces in America; for, reasoned Monroe, "belonging to the same hemisphere, and being neighbors, we have in many respects a common interest, and ought to be friends." Incidentally Robinson was instructed to promote friendly commercial intercourse between the two areas.44 All in all, the mission was a large order for a former army surgeon, but he set out immediately to fulfill it.45

Arriving at Natchitoches in the summer of 1812, Robinson sought first of all the Spanish vice-consul, Felix Trudeau. He explained that he had been ordered to investigate the activities of the group of insurgents who had recently entered Texas under the joint leadership of Bernardo Gutiérrez de Lara and Augustus W. Magee, a former United States army officer. This explanation of his motive for entering Spanish territory not being acceptable to the Spanish representative, he refused Robinson a Spanish passport.46 But he proceeded without it, and in October, 1812,

⁴⁴ Monroe to Robinson, July 1, 1812, Records of State Department, Mexican Filibustering Expedition Against the Government of Spain, 1811-1816; A. H. N., Est., Leg. 5557, Exp. 10. Expedition Against the Government of Spain, 1811-1816; A. H. N., Est., Leg. 5557, Exp. 10.

**Monroe was involved in many revolutionary plots. The activities of William Shaler while serving as government agent in conjunction with Toledo were carried out in accordance with Monroe's desires. (Walter F. McCaleb, "The First Period of Gutiérrez-Magee Expedition," Texas Historical Association Quarterly, IV, 218-229 [January, 1901]; Kathryn Garrett, "The First Newspaper of Texas: Gaceta de Texas," Southwestern Historical Quarterly, XL, 200-215 [January, 1937]). Did Monroe have in mind similar activities for Robinson! Onfs thought so. In fact he was certain that Robinson's sole motive for making the trip was to foment rebellion (Onfs to viceroy of New Spain, January 5, 1813, Archivo General Mexicano, Guerra de la Independencia, Notas Diplomáticas, Historia: Operaciones de Guerra, Tomo III).

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⁴⁶ Ibid.

overtook the revolutionary army on the banks of the Trinity.⁴⁷ He was soon confronted by Magee, who demanded an explanation of his presence, refused to allow him to continue, and ordered that all papers on his person be relinquished. Robinson explained his mission, but refused to give up his papers. According to camp gossip he had been sent to take possession of the country which they had freed.⁴⁸ This rumor was possibly occasioned by a chance remark dropped by Robinson that the United States would annex the Internal Provinces as soon as the Patriots had won their fight for independence.⁴⁹

Robinson was decidedly a thorn in the side of the revolutionists, and a council of war was called to determine his fate. This body reasoned that since they were already at war with Spain it would be unwise to incur the enmity of another power. Hence Robinson was permitted to proceed on the condition that he pledge himself not to reveal their strength, position, or intentions to the Spanish authorities. He was to go on alone, and to carry a passport issued by the Patriots. In spite of their treatment Robinson confessed deep admiration for their cause and later asserted: "Had I not been in the service of my own country, I would most cheerfully have been one of the party." With his progress made painful by a badly inflamed ankle, Robinson continued his journey. Service of the party.

After traveling through a wilderness of 400 miles, he reached San Fernando de Austrias, where he was coldly received by Manuel María de Salcedo, governor of Texas (not to be confused with his uncle, Nemesio Salcedo, the commandant-general of the Internal Provinces). In the midst of their conversation, however, Colonel Simón Herrera, whom Robinson had met in 1807, entered, recognized him, and gave him "a most affectionate embrace." At once the complexion of the meeting changed. A friendly conversation ensued in which the Spaniards expressed a desire to

⁴⁷ Doctor Robinson—Report of his Mission to the Spanish Provinces in New Spain, State Department, Mex. Filibustering Exped. (hereafter cited as Report); Shaler to Monroe, November 10, 1812, S. D., Special Agents.

⁴⁸ Report.

⁴⁹ Ibid.; Shaler to Monroe, November 10, 1812, S. D., Special Agents.

⁵⁰ Pledge, dated Camp Traquitas, October 18, 1812, in Report.

⁵¹ Robinson to Onís, n. d., Niles' Weekly Register, XII, 222.

⁵² Report.

⁵³ Ibid.; Issac Joslin Cox, "Monroe and the Early Mexican Revolutionary Agents," American Historical Association, Annual Report (1911), I, 212.

see Texas a part of the United States.⁵⁴ Strange talk for loyal servants of the king!

Eager to reach his destination Robinson retraced a familiar trail to reach Monclova. Here, Antonio Cordero, another friend of 1807, "received [him] like a brother." A brother's keeping was certainly needed, for Robinson was forced to remain in Monclova several weeks. This delay was caused by the commandant-general, but Robinson was eventually given permission to proceed by way of Presidio del Norte, a difficult, Indian infested route. 55 On reaching this outpost Robinson wrote Salcedo warning him of the approach of a large body of men, supposedly Comanches advancing in the direction of the Red River. He deemed it his duty to call this matter to Salcedo's attention. 56

Reaching Chihuahua on December 11, 1812, Robinson presented himself at the government house called the Casa Morada.⁵⁷ There he was received by Salcedo "with a reserved politeness." The commandant-general opened the interview by inquiring whether Robinson had a letter for him from the President of the United States. Robinson replied that he did not, for he himself was the letter. Salcedo was incensed by what he regarded as a breach of diplomatic procedure, and threatened to imprison him. Robinson retorted that he did not fear such action, as his government would take immediate steps to relieve him;⁵⁸ whereupon Salcedo cooled and requested that all subsequent intercourse be made in writing.

Robinson's first letter following the explosive interview, written the next day, presented all the points contained in Monroe's letter of instruction.⁵⁹ Ever on the lookout for revolutionists, Salcedo replied that before any negotiation could begin "it is absolutely necessary that you exhibit the authorization and faculties with which you come from your government, the Credentials and Powers which she has given you."⁶⁰ In compliance with this demand, Robinson sent his State Department passport

⁵⁴ Robinson to Onís, n. d., Niles' Weekly Register, XII, 222. For additional activities of Spanish officials encountered by Robinson see Vito Alessio Robles, Coahuila y Téxas en la Época Colonial (México, 1838), passim.

⁵⁵ Report; Cox in Annual Report, I, 212.

⁵⁶ Robinson to Salcedo, December 3, 1812, A. H. N., Est., Leg. 5557, Exp. 10; Report.

⁵⁷ Certificado de Francisco Velasco, January 23, 1813, A. H. N., Est., Leg. 5557, Exp. 10.

⁵⁸ Report.

⁵⁹ Ibid.; Robinson to Salcedo, December 12, 1812, A. H. N., Est., Leg. 5557, Exp. 10.

⁶⁰ Salcedo to Robinson, December 14, 1812, ibid.; Report.

and letter of instruction. 61 Negotiations were further delayed due to the lack of capable translators. Evidently Robinson could speak, but not write, Spanish and French. This proved a constant source of annoyance throughout the negotiations. 62 A five-day silence on Salcedo's part prompted Robinson's next letter. He urged immediate action, as the Congress of the United States was in session and the President was anxiously awaiting his report and conclusions regarding the frontier insurgents and the boundary problems. 63 Salcedo's reply was disappointing. He wrote that he had examined Robinson's instructions, but again insisted that "without a corresponding credential, it is not a document sufficient to enable me to hear officially the propositions to which your commission directs, much less establish any conference on them. . . . " Such matters, he declared, should be taken up with the Spanish regency or the viceroy of New Spain.64 Robinson accepted the inevitable. He wrote Salcedo and expressed his profound regrets that the President's desire for the establishment of a friendly understanding between the two countries had failed of achievement. 65 Anxious to return, he requested a parting visit with the commandant-general, which was granted.66

The interview took place on January 6, 1813. Robinson sadly remarked that his "ears . . . [were] assailed on all Sides, by the din of Camps, the sound of Martial music, the cries of Suffering humanity and the mournfull Sound of Peace retiring from this Globe." Now was the time for co-operation among nations; but his failure to accomplish that end caused him many "painfull feelings."67 Salcedo was unmoved. He now revealed, however, the true cause for his refusal to negotiate. He accused Robinson of having designs other than those expressed in his instructions.

⁶¹ Robinson to Salcedo, December 15, 1812, A. H. N., Est., Leg. 5557, Exp. 10; Report; Monroe to whom it may concern, July 1, 1812, A. H. N., Est., Leg. 5557, Exp. 10; Monroe to Robinson, July 1, 1812, bid.; Report; S. D., Mex. Filibustering Exped.

62 Salcedo to Robinson, December 21, 1812, A. H. N., Est., Leg. 5557, Exp. 10. Manuel Blanco was first used but he understood only a 'little' French and English, hence Miguel Walters, a former companion of Andrew Ellicott, surveyor of the Florida boundary, was substituted. Walters had previously acted as interpreter for Pike. (Certificado de Francisco de Velasco, January 23, 1813, bid.).

63 Robinson to Salcedo, December 26, 1812, ibid.; Report.

64 Salcedo to Robinson, January 3, 1813, ibid.

65 Robinson to Salcedo, January 4, 1813, ibid.

66 Id. to id., January 5, 1813, ibid.

67 Robinson to Salcedo curtly replied that such enterprises constituted a violation of Spanish laws respecting the presence of foreigners. (Robinson to Salcedo, January 5, 1813; Noticia de los Papelos o Copias de otras Copias qe. entrego personal o separadamente al Sr. Comte Gral. Dn. Juan H. Robinson, January 23, 1813, ibid.; Salcedo to Robinson, January 8, 1813, ibid.

67 Report. 67 Report.

Robinson replied that this accusation was a personal insinuation, and demanded an explanation. This reply infuriated Salcedo, and "he burst into the most violent paroxysm of anger. . . ," bellowing that the United States had no national honor, and that he had letters and documents written by Robinson "which . . . he wrote and circulated in this country exciting the people to revolt against the constituted authorities."68 There was some basis for Salcedo's accusation. Robinson was firmly convinced of the tyranny of Spanish rule. Only a few weeks after the interview he openly conversed with José Mariano Cevallos, a representative of the Republican Junta of Guanajuato, who made an urgent request for experienced American officers, arms and ammunition. From Juan Dies of Santa Fé, he received a similar request. He replied to both that he would inform the President of their plight, and assured them that the United States was friendly to their cause. 69 When activities such as these are coupled with Robinson's confessions of 1807, Salcedo cannot be blamed for being suspicious.

Hopelessly at odds with Salcedo, Robinson demanded the return of his papers and a passport to the United States. After three days, if the demand had not been complied with, he would consider himself forcibly detained. To But before the expiration of the ultimatum he received an exceedingly cordial letter from Salcedo, though he still contended that his suspicions of Robinson's motives were completely justified in the light of his correspondence of 1807. But more important to Robinson—the passport was inclosed.71 Further delay in his departure was caused by a dispute as to which route he should take. Salcedo was unwilling to have him go back by the same way he had come, for Robinson had made many friends among officials in Texas whose patriotism was doubtful. After much bickering, the agent was permitted to return by any route he chose,72 and he set forth at last during the first week of February, 1813.73

Arriving at Presidio del Norte he found the inhabitants alarmed by rumors of an expected attack of the Comanches. He

 ⁶⁸ Robinson to Salcedo, January 19, 1813, A. H. N., Est., Leg. 5557, Exp. 10; Report.
 ⁶⁹ Report. Robinson quotes a letter from José Fernández, President of the Republican Junta of Guanaxoata, dated January 15, 1813.

Robinson to Salcedo, January 20, 1813, A. H. N., Est., Leg. 5557, Exp. 10; Report.
 Salcedo to Robinson, January 20, 1813, A. H. N., Est., Leg. 5557, Exp. 10.
 Testimonial of Francisco Velasco, January 23, 1813, ibid. Velasco was Salcedo's secretary.

73 Robinson to Salcedo, February 3, 4, 1813, ibid.

offered to act as intermediary, but his services were refused. During his stay, he successfully nursed Colonel Ignacio Elizondo, the betrayer of Hidalgo, back to health.74 At San Antonio also, he found the inhabitants in great alarm. But here, the source of danger was the Patriot army which was encamped some thirteen leagues south of the city. He learned that the governor of Texas, Manuel de Salcedo, had 1,100 men at his command, but only 300 fit for duty.75 The inhabitants begged Robinson to extend the protection of his government over their lives and property,76 but he was powerless to act. Moreover, his sympathies were with the threatening force. Leaving the town in its critical situation, he resumed, in March, 1813, his homeward journey. Twenty-one days later he arrived at Natchitoches to learn that a General Toledo awaited him.77

José Álvarez de Toledo⁷⁸ was a former member of the Spanish Cortes. He arrived in the United States in September, 1811, and in the course of time convinced Secretary of State Monroe that he was a genuine revolutionist. At any rate Monroe advanced him expense money which enabled him to reach the frontier. When he arrived at Natchitoches he visited William Shaler, a special agent of the government, and presented a letter of introduction Soon becoming intimate friends Robinson and to Robinson. Toledo set about devising a plan for the invasion of the Internal Provinces. Desirous of obtaining further support for their plan, Robinson informed Shaler that after visiting New Orleans "he [Robinson] should, on his arrival at Washington, lay their plans before the government," in the hope of receiving aid.79

On arriving in Washington Robinson presented his report. He gave a detailed account of his dealings with Salcedo, and included some very significant comments on the "Present State of the Mexican Revolution." He expressed himself in favor of José María Morelos, who had succeeded Hidalgo as leader of the

⁷⁴ Report According to Robinson, Elizondo, following his betrayal of Hidalgo, experienced a second change of heart, for he told Robinson that he was not opposed to "anything which would tend to emancipate us from European tyranny, But Sir, if the President of Your Government will extend to us his hand, even his countenance, we shall be Free." (Report).

ment will extend to us his hand, even his countenance, we shall be Free." (Report).

75 Shaler to Monroe, April 13, 1813, S. D., Special Agents.

76 Report; Cox in Annual Report, I, 213.

77 Robinson to Monroe, April 12, 1813, S. D., Mex. Filibustering Exped.

78 See Joseph B. Lockey's article, "The Florida Intrigues of José Alvarez de Toledo,"

Florida Historical Quarterly, XII, 145-178 (April, 1934), or in his Essays in Pan-Americanism
(Berkeley, 1939), for an excellent account of Toledo's activities; and for Toledo's early career
see Harris Gaylord Warren, "José Alvarez de Toledo's Initiation as a Filibuster, 1811-13,"

Hispanic American Historical Review, XX, 56-82 (February, 1940).

79 Shaler to Monroe, April 18, May 2, 1813, S. D., Special Agents.

Patriots; but he accused Gutiérrez de Lara of seeking French aid. so He assured Monroe, however, that Mexican independence was a certainty if the United States could keep Europe out of the struggle and increase commercial relations with its southern neighbor. The conclusion of his report was in the true spirit of Pan-Americanism:

This revolution [the Mexican] is the more important since on its destiny depends the Liberty and Independence of all South America. In taking a view of this highly interesting subject, I have not, in my mind, limited the Liberties of Americans by the Istmus of Darien or even the Amazonian mountains, but, I have viewed the whole space comprehended between Louisiana and Cape Horn, divided into many free and independent Governments, enjoying the blessings of liberty, and Peace, and holding the oldest Republic of America by the hand of friendship, bid defiance to the Storms and Thunders of European Tyrants.81

Freed from his duties as special agent, although officially on the payroll until October, 1813, Robinson proceeded with characteristic vigor to carry out the plan determined upon by Toledo and himself. This combined the scheme to invade the Internal Provinces, with a project to capture Pensacola as a prelude to the annexation of East Florida.82

His first move was to convoke a revolutionary junta in Philadelphia.83 The Quaker City, during this period, was a meeting place for numerous secret agents and filibusters. Little information is available regarding this junta, but it can be assumed that it was connected with a similar organization headed by Irenée Amélot de Lacroix,84 a former French army colonel.85 This officer and his associates had also formulated a project to liberate Mexico.86 They made elaborate preparations including

No Report. Robinson, writing to Monroe on July 26, 1813, had elaborated on the activities of Gutiérrez. He was accused of asking the French consul in New Orleans for material aid, and was promised 3,000,000 francs, 15,000 stand of arms, adequate supplies, and French officers to drill the army. (S. D. Mex. Filibustering Exped.).

s1 Report.

 ⁸¹ Report.
 ⁸² Robinson to Monroe Novembar 5, 1813, S. D., Papers Relative to the Revolted Spanish Provinces; Issac J. Cox, West Forida Controversy, 1798-1813 (Baltimore, 1918), 631. For Robinson's dismissal see Monroe to Robinson, June 25, 1813, S. D., Domestic Letters.
 ⁸³ Onís to Monroe, December 8, 1813, S. D., Misc
 ⁸⁴ Onís to Antonio Cavo Manuel, December 17, 1813, A. H. N., Est., Leg. 5557, Exp. 12.
 ⁸⁵ Lacroix arrived in this country late in 1807, and offered to serve in the American army (Jefferson to Dearborn, December 3, 1807; Lacroix to Jefferson, 1807; Jefferson to Lacroix, December 21, 1807; Jefferson Papers, Library of Congress). During 1808-09 he resided in Boston and busied himself in writing Military and political hints by—, humbly submitted to the hon, the members of Congress, and the general officers of the militia of the United States (Boston, 1808).

United States (Boston, 1808).

See Proclamation of Irenée Amélot de Lacroix, A. H. N., Est., Leg. 5557, Exp. 12. The writer could not establish any relationship between this Lacroix and the Lacroix of Louisiana.

the organization, on paper, of the third division of the Mexican Patriot Army of the North with a total force of 23,444.87 It can be inferred from such evidence as exists that Robinson was not only a party to this fantastic scheme, but was its author.

A certificate appointing a Doctor Robert Harris to the position of surgeon-general in the army, signed by Lacroix and Henry Raybauld, paymaster general, raised the question of remuneration for Harris. The answer was to be given by the "agent of the Patriot Army." Was Robinson the agent? Later events seem to answer this question in the affirmative, for Alexander James Dallas, United States District Attorney for eastern Pennsylvania, in a letter to Monore, stated that Robinson was the "principal of the enterprise." Previous to this, Dallas informed Monroe that in a conversation which he had had with Onís, that official had expressed concern about the scheme of Robinson and Lacroix and had accused Robinson of being attached to the Philadelphia junta. 90

Lacroix's career as a revolutionist was suddenly cut short. He was arrested by the government for violation of the neutrality laws.91 He developed a distaste for prison life, and to procure his release, offered to betray his former comrades.92 Strange as it seems Robinson was not arrested, even though he had violated the laws by issuing an inflamatory proclamation, written in his own hand, in September, 1813. "This . . . is the moment," Robinson wrote, "when the patriotism, nay the very souls of Americans are to be tried." Consequently he urged all Americans to "step forth, defend the rights and liberties of your Country, and aid in establishing . . . those principles of Republicanism, which shall secure to our beloved country her future peace, tranquility, and Independence." This could best be accomplished, he averred, by fighting for Mexican independence. Americans could aid their country in her war against Britain, for the appeals then being made by Spain for British mediation could only result in British troops being sent to Mexico and the Floridas. All those interested were encouraged to meet at Nacogdoches,

⁸⁷ Plans for Organization of the 3rd Division of the Mexican Patriot Army, ibid.

⁸⁸ Certificate of appointment, November 13, 1813, ibid.

⁸⁹ Dallas to Monroe, May 17, 1814, S. D., Misc.

⁹⁰ Id. to id., January 10, 1814, ibid.

o1 Ibid.

⁹² Onis to Antonio Cavo Manuel, December 18, 1813, A. H. N., Est., Leg. 5557, Exp. 12.

November 25, 1813.93 In spite of this incriminating proclamation, which received wide distribution, Robinson still was not arrested. Dallas contended that he did not have sufficient proof that the proclamation was written by Robinson.94 Monroe, nevertheless, could easily have supplied the missing evidence, for he was in possession of several letters and reports all in Robinson's hand. The explanation given for the failure to detain Robinson must have been supplied merely to quiet Onis, or else Robinson was still an active agent of the State Department and Monroe did not wish to see his agent imprisoned.95

While in Philadelphia, Robinson did not forget his friend Toledo. On August 20, 1813, he wrote that arms for their venture could most likely be procured in New Orleans, and he hoped to join him in the autumn.96 Two days previous to the writing of this letter, the Patriot army, under the command of Toledo, had been routed at the Battle of Medina.97 Robinson, of course, did not know this and continued to recruit troops for the Mexican invasion. In September he urged Toledo to send him a copy of the newly formulated Constitution of the State of Texas and any information pertaining to the victories of the army, to enable him to publicize the cause.98 When Robinson eventually learned of the crushing defeat, he immediately informed Toledo he was coming to join him, bringing fresh recruits as well as several hundred muskets.99 Thus Robinson, who, in the words of Onís, had "proposed to entice . . . young men to enlist under the banner of the rebels,"100 left Philadelphia to enter into a more active part in the war for Mexican independence.

From Chambersburg, Pennsylvania, Robinson notified Monroe that he had avoided Washington where he did not wish to be seen, and requested him to comment on questions which he phrased in substance as follows: Should the Mexican patriots take possession of East Florida will the United States permit them, by capitulation, to retire through their territory to the western

⁹³ Proclamation, dated Philadelphia, September 16, 1813, John H. Robinson Collection,

Mo. Flist. Soc.
 Officially Robinson was still a government agent. His services were to end three months after he received Monroe's letter of June 25, 1813. (Supra, n. 82). Allowing two weeks for delivery, Robinson's services would not have expired until circa October 10, 1813.
 Dallas to Monroe, January 10, 1814, S. D., Misc.

Robinson to Toledo, August 20, 1813, A. H. N., Est., Leg. 5559, Exp. 26.
 Mattie Austin Hatcher, "Joaquin de Arredondo's Report of the Battle of Medina, August 18, 1813," Texas Historical Association Quarterly, XI, 220-236 (January, 1908).

Robinson to Toledo, September 1, 1813, A. H. N., Est., Leg. 5559, Exp. 26.
 Id. to id., October 8, 1813, ibid.

¹⁰⁰ Onís to Monroe, December 8, 1813, S. D., Misc.

frontier? If they take Cuba will the United States admit her to the Union? To carry out these measures he assured Monroe that the patriots would have 4,000 disciplined troops ready by the next April. He said also that he was "in possession of a cypher from Mr. Graham . . ." if future correspondence necessitated secrecy. This letter is interesting. It reads as though Robinson had previously discussed his plans with Monroe, and had received some sort of approval.101

Having no fear of detention, Robinson proceeded to Pittsburgh. 102 There he issued another proclamation similar in tone to the one issued in Philadelphia, but with added detail. He painted a glowing picture for those who would enlist. All would receive Mexican citizenship, tracts of land of 640 acres, and liberal compensation. "Persons of profession and trade, who . . . rendered Services in the army . . ." would be assisted by the government to re-establish themselves. Liberal pensions would be paid to widows and the disabled. Directions were included to aid enlistees in reaching Nacogdoches-"the nearest post of the Mexican Republic." The proclamation closed with a plea for help for the "Six millions of Souls, who for these three hundred years, have been bound down by the yoke of a cruel oppression. . . . "103 Once this paper had been put in circulation Robinson hastened to Illinois, where he engaged in similar recruiting activities, much to the vexation of his former benefactor, Governor Ninian Edwards.104 The path to freedom, however, was soon beset with obstacles.

By November, 1813, Monroe had learned of Robinson's activities in Pittsburgh, and although apparently in sympathy with his intentions, suddenly decided to put an end to "the execution of his illegal design." Governors Claiborne of Louisiana, Edwards of Illinois, Clark of Missouri, and the United States attorney for the district of eastern Pennsylvania, were ordered "to take such measures as the law authorizes" against the conspirators. 105 Monroe's change of heart was probably occasioned by the opening of the peace negotiations which eventually concluded the war of

¹⁰¹ Robinson to Monroe, November 15, 1813, S. D., Mex. Filibustering Exped.

¹⁰² Ibid.

¹⁰³ Proclamation headed "Europe enslaved millions! America liberated them!"—Dated Pittsburgh, November 19, 1813, ibid.

^{104 [}Monroe] to the district attorney of the Illinois Territory, January 21, 1814, S. D., Territorial Papers.

¹⁰⁵ Monroe to Robinson, February 14, 1813, S. D., Domestic; Monroe to Claiborne and Tully Robinson, to Edwards, to Clark, January 21, 1814, S. D., Territorial Papers.

1812. He had worked hard to gain recognition of the American claims to Florida,106 and if news leaked out that he was encouraging filibusters to seize that province, his efforts would probably have much less effect. Apparently ignorant of the changed state of affairs, Robinson continued to report to Monroe. A reply he received from the Secretary in answer to his letter of January 25, 1814, fully revealed Monroe's ostensible change of heart. Assuming that Robinson had reached Natchez, Monroe addressed a letter to him there, in which he said: "The measures in which you are engaged being contrary to law and wholly unauthorized, have excited no little surprise, especially as you know this to be the case from your instructions while acting under the authority of the government on the recommendation of the late general Pike . . ., and I now write to inform you that if you do not immediately desist from your illegal measures and pursuits, the most decisive steps will be taken to give effect to the legal restraint applicable to them."107 But either Monroe was endeavoring merely to keep up appearances, or else Robinson utterly disregarded the warning, for he plunged more actively than ever into the cause.

Arriving at Natchez, December 24, 1814, Robinson professed to be completely "in the dark respecting . . ." Toledo's arrangements. He wrote his confederate that the cause was exceedingly popular in the eastern states, and that 2,000 men could be expected to join in the spring;108 he urged moreover that a place be selected as a rendezvous. He hoped that the good will of the United States would not be lost, and that all debts owed American citizens would be paid in order to maintain their confidence and interest in the cause. 109 Such moves would encourage prominent and talented men to enlist. In fact he had already heard that General Adair expected to join in the spring. As for himself he planned to reach Natchitoches very shortly "to make the necessary arrangements respecting provisions etc. etc."110

Robinson reached the encampment on the Sabine during the first week of February. The path to freedom, however, began to lose all resemblance of smoothness. Jealousy, a major cause of

¹⁰⁶ Julius W. Pratt, "James Monroe," The American Secretaries of State . . . Samuel Flagg Bemis, ed. (10 vols. New York, 1927), III, 269.

107 Monroe to Robinson, February 14, 1814, S. D., Domestic.

108 Robinson to [Toledo], January 24, 1814, S. D., Mex. Filibustering Exped.

109 Id. to id., January 24, 1814, A. H. N., Est., Leg. 5559, Exp. 26.

110 Id. to id., January 24, 1814, S. D., Mex. Filibustering Exped.

dissatisfaction among rebel leaders, appeared in its most devastating form. Who was to be the leader? Toledo wanted the full command, and so did Robinson. Toledo professed to be suspicious of Robinson's relations with certain Frenchman, including Lacroix,111 but especially of his apparent friendship with Nathaniel Cogswell, who had denounced Toledo as an agent of the Spanish government. 112 Shaler warned Toledo that the United States government was disgusted with the conduct of Robinson and recommended that he have nothing to do with him. 113 Yet the two leaders had too much at stake to allow bickerings and suspicions to disrupt their friendship at this time. Accordingly they composed their differences, but thereafter their relations lacked the former cordiality.

The expedition eventually reassembled west of the Sabine, 114 where jealousy among the leaders revived. The main cause of dissension now was—"Who shall be Emperor of the Republic?"115 Disgusted by such smallness Robinson moved fifty miles distant, taking part of the force with him. This action, coupled with the British move on New Orleans, put an end to all revolutionary activity on the Sabine during 1814.116 Robinson realized that all hope of further co-operation was gone, and as every available man was needed to fight the British, he decided to aid his country.

He wanted to bring his men to New Orleans and fight under Jackson. An offer to that effect was made to Governor W. C. C. Claiborne of Louisiana, but he was forced to refuse, for he held a warrant ordering Robinson's arrest.117 This warrant had been issued by the government in conformity with its neutrality laws. Robinson, however, held it in contempt, for Monroe had forwarded him a copy with assurances that it would not be served. Moreover, he was now in the very company of the United States marshal who should have served it. Having no fear of arrest he went unaccompanied to New Orleans, where he volunteered as a com-

¹¹¹ Windship to Plumer, March 20, 1814, Everett S. Brown, ed., "Letters from Louisiana, 1813-14," Mississippi Valley Historical Review, XI, 570-579 (March, 1925), 573.

112 Robinson and Cogswell worked together procuring munitions and recruits in Philadelphia. (Robinson to Toledo, August 20, 1813, A. H. N., Est., Leg. 5559, Exp. 26). For Cogswell's participation in the cause see Lockey in Fla. Hist. Quart., XII, 152-155.

113 Shaler to Toledo, December 28, 1813, A. H. N., Est., Leg. 5559, Exp. 26.

114 Morphi to Governor of Vera Cruz, April 20, 1814, in Mattie Austin Hatcher, The Opening of Texas to Foreign Settlement, 1801-1814 (San Antonio, 1923), 248.

115 Windship to Plumer, June 5, 1814, in Miss. Valley Hist. Rev., XI, 576; W. J. Ghent, The Early Farwest, a Narrative Outline, 1540-1850 (New York, 1931), 151.

116 Windship to Plumer, July 7, 1814, in Miss. Valley Hist. Rev., XI, 579.

117 Official Letter Books of W. C. C. Claiborne, Dunbar Rowland, ed. (6 vols.: Jackson, Miss., 1917), VI, 284.

mon soldier, but was commissioned surgeon in the Twentieth Regiment, Louisiana Militia, and put in charge of an army hospital near New Orleans. 118

At the conclusion of the war Robinson assumed a role which is cloaked in obscurity. He himself gives the best clue as to his activities and intentions: "When I abandoned the services of this country I did so because it was the positive wish of the Executive that I should join the Mexican cause as a prelude to the future plans of the Administration on that subject." If he is taken at his word, Monroe seemingly had not lost interest in his former agent, and Robinson's subsequent actions were at least semi-official in character. This view is substantiated by Robinson's numerous letters to both Monroe and Madison. But whatever his status he once more moved to aid the Mexican cause.

At the conclusion of the war he held numerous meetings with a number of army men in which the possibility of an expedition to the Internal Provinces was discussed. One result of these conferences "was the appointment of an agent to the Mexican congress with a view to procure authority and funds for setting on foot an expedition into the Internal Provinces." The agent chosen was Robinson. At first he was inclined to refuse, but friends convinced him that he alone was qualified for the job. 110 Additional persuasion was provided by one of the many agents sent north by the Mexican Patriots, a certain Juan Pablo Anaya, 120 who assured him that the mission would take only two or three months.121

Robinson and Anaya sailed from New Orleans in the autumn of 1815.122 They landed at Vera Cruz, 123 and Robinson immediately proceeded inland in search of the Mexican congress. At this time the congress was well in the interior. Its location was never permanent, for Royalist victories frequently necessitated a

¹¹⁸ Robinson to Saugrain, April 5-18, 1817, Selter, 79; Sketch, Mo. Hist. Soc.
¹¹⁹ Ibid. The writer has not found any evidence to show that Robinson was connected with the New Orleans Association, which had a similar plan afoot at that time.

¹²⁰ Anaya arrived in New Orleans in 1814. He endeavored to establish diplomatic relations with the United States and also to procure arms and munitions for the Mexican cause. He attempted to work in conjunction with Toledo in regard to an expedition into Mexico, but Toledo had plans of his own. (I. Fabela, "Los Precursores de la Diplomática Mexicana," Archivo Histórico Diplomático Mexicano, No. 20).

Archivo Historico Diplomatico Mexicano, No. 20).

121 Robinson to Saugrain, April 5-18, 1817, Selter, 78.

122 Alejandro Villaseñor y Villaseñor, Biografías de las Heroés y Caudillos de la Independence, 2 vols. (vols. III, IV of Obras: Mexico, 1910), 126; Niles' Weekly Register, IX, 299.

123 Robinson to Saugrain, April 5-18, 1817, Selter, 78. Juan Mariano Picornell, a Spanish spy, claimed that Robinson and Anaya landed at Nautla. (Picornell to Onís, November 6, 1815, A. H. N., Est., Leg. 5558, Exp. 12).

change of the capital. Traveling rapidly he reached the town of Huatusco in the early part of July. From there he reported that the Patriots had defeated a division of the Royalist forces in the province of Puebla.¹²⁴ To Madison he sent a lengthy report in which he stated that he was on his way to the supreme Mexican congress on business of "Public interest to this Republic," and "knowing the lively interest which you feel towards the glorious efforts of this brave people . . . I cannot . . . deny myself the pleasure of communicating . . . information relative to the present state of the Revolution. . . ." The Republic, he said, was now functioning as a true democracy, the quarrels between the army heads had ceased, the financial situation had stablized, and most important of all, the enthusiasm for independence among the people was unabated. All that was lacking to end the struggle in a year were munitions of war. He concluded with the assurance that he would return to New Orleans about September 1.125

Robinson overtook the congress at Huétamo, 126 and lost no time in presenting his plan. He proposed that he be given command of an expedition to attack Pensacola. After this town had been taken he would gather 10,000 men, 3,000 of whom were already available, and march against the Royalists in the Internal Provinces by way of Durango. 127 The congress favored his scheme and granted him 1,000 pesos, but he failed to carry out his proposal. Instead of leaving Huétamo by October, 1815, as was agreed, he accompanied the congress on its flight to Tehuacán. 128 Robinson, however, does not deserve the entire blame for the failure to carry out his plan. He did make an effort to return to the United States, but found the way blocked by the intrigues of Toledo with General Guadalupe Victoria, who commanded the coastal region. Counselled by Toledo, Victoria forbade Robinson to return to the United States because of certain charges which had been lodged against him. Hence Robinson was forced to return to the congress to seek redress. 129

¹²⁴ Niles' Weekly Register, IX, 299.

¹²⁵ Robinson to Madison, July 30, 1815, S. D., Misc.

¹²⁶ Lucas Alamán, Historia de Méjico . . . (5 vols.: México, 1849-52), IV, 393.

¹²⁷ Declaración de Morelos, 26 de Noviembre de 1815, in Juan E. Hernández y Dávalos, ed., Collecion de Documentos para de la Guerra de Independencia de México. . . . (6 vols.: México, 1877-82), VI, 43. Juan Nepomuceno Rosains declared that Robinson was a charlatan practising medicine and had no honorable intentions of aiding the Mexican cause. (Alamán, IV, appendix 8, pp. 13-14.)

¹²⁸ Alamán, IV, 393.

¹²⁹ Robinson to Saugrain, April 5-18, 1817, Selter, 79.

The congress was having troubles of its own. It had formerly relied on General José María Morelos for protection, but following his capture in November, 1815, it was forced to seek a new patron. The most likely choice was Juan Manuel Mier y Terán, a successful general though only twenty years of age. He was defying the Royalists in the district of Tehuacán, and the congress, harried on all sides by the Royalists, placed itself under his protection. Terán failed to appreciate the honor. He realized that the members of the congress expected not only a refuge from further Royalist persecutions, but obedience to their whims. They expected no less to be supplied with provisions for a large train of adherents. 130 He soon tired of their presence and instigated their arrest, and later ruthlessly dissolved the body. 131 Robinson was arrested and imprisoned in the "National Palace" for one night and a day. He protested violently, even to the extent of cursing Terán, but to no avail.132 Terán personally had not ordered these arrests, but had merely countenanced the supposedly spontaneous acts of his officers. In reality the whole affair was a farce perpetrated by him in order that the blame should fall on his officers. Seen in this light Robinson's actions seemed to have been planned previous to his arrest, 133 for he was quickly released and two months later accompanied Terán on an expedition to the coast. 134

This expedition was undertaken in an effort to procure arms and munitions. Terán's army was well trained but lacked equipment. In May, 1816, William Davis Robinson, 185 a merchant who had previously engaged in trading activities in South America, arrived in Mexico on the United States brig of war Saranac. He had come to Tehuacán to procure money from the congress to finance an expedition from Haiti to be headed by Toledo. 136 But on finding the congress defunct, he offered to sell Terán 4,000 muskets at twenty pesos each.137 The muskets were at the port of

Hubert Howe Bancroft, History of Mexico (6 vols.: San Francisco, 1883-1888), IV, 631.
 ¹³¹ Carlos Bustamente, Cuadro Histórico de la Revolución Méxicana . . . (3 vols.: México, 1926), III, 228; Robinson to Saugrain, April 5-18, 1817, Selter, 79.
 ¹³² Ibid.

¹³² Toid.
133 Carlos Bustamente, Supplemento á la Historia de los tres siglos de México . . . por el Padre Andres Cavo (México, 1836-38), IV, 129.
134 Bustamente, Cuadro Histórico . ., III, 269; Alamán, IV, 439.
135 Often confused with the subject of this study. El historiador Davis Robinson y su Aventura en Nueva España (México, 1939) by Eduardo Enrique Rios, contains the best account of his adventures in Mexico.

of his adventures in mexico.

136 W. D. Robinson, Memoirs of the Mexican Revolution . . . (Philadelphia, 1820), 125;
Bustamente, Cuadro Histórico . . ., III, 269; Villaseñor y Villaseñor, 245.

137 W. D. Robinson to Toledo, fragments, various dates, inclosed in Sedella to Onís, July
16, 1816, A. H. N., Est., Leg. 5559, Exp. 26. W. D. Robinson had been recommended to
Toledo by Shaler. (Shaler to Toledo, April 25, 1815, ibid.; Memoirs . . ., vi.)

Boquilla de Piedras. General Victoria, being jealous of the younger Terán, refused to allow them to be transported inland. Terán, not to be outdone, devised, with the Robinsons, a plan to transport them by boat to the small port of Guazacoalco, where Terán intended to be when the weapons arrived.

In July, 1816, Terán, the two Robinsons, and approximately 400 men left Tehuacán for Guazacoalco. This expedition failed to reach its goal. A broken terrain, coupled with heavy rains, caused numerous delays. The Royalists, in the meantime, had learned of the plan and sent a detachment to intercept Terán and his men. 138 The two forces met at Playa Vicente, situated on the south tributary of the Papoloapan River. 139 The Royalist force proved superior in number and the Patriots were forced to retire. In crossing the Papoloapan in a canoe Terán fell into the river and would have drowned had not Robinson, close by on a raft, managed to obtain a hold on his coat tails and hauled him safely aboard. 140 The defeat resulting in the abandonment of the original plan, Terán, John H. Robinson, and the soldiers returned to Tehuacán. William D. Robinson remained behind in the hands of the Royalists, who mistook him for John H. Robinson. The Royalists, on capturing him exclaimed, "Thank God! Doctor Robinson has at last fallen into our hands."141

The expedition reached Tehuacán in the latter part of September. Robinson's activities during the remainder of his stay in Mexico are as yet unknown. His services, nevertheless, did not go unrewarded for he was commissioned general in the Patriot army.142 He sailed from Nautla early in February, 1817,143 and arrived at Galveston in the latter part of the same month. Several days later General Francisco Xavier arrived in the port.144 In all probability Robinson talked with Mina and outlined the situation in Mexico. Mina profited from this, for when he invaded Mexico he did not land at Boquilla de Piedras or Nautla as planned, for Robinson reported them in the hands of the Royalists.145

¹³⁸ Robinson, Memoirs . . ., 127. 139 Bancroft, History of Mexico, IV, 635.

¹⁴⁰ Bustamente, Cuadro Histórico . . ., III, 269.

141 Robinson, Memoirs . . ., x.

142 Ibid., vii; Houck, 81; Morrison in Tyler's Quarterly . . ., III, 154; Billon, Annals—Territorial Days, 192; Senate Report No. 253, 34th Congress, 1st Session.

143 Bustamente, Cuadro Histórico . . ., III, 269, n. 1.

144 Morphi to Ciantagos February 26, 1817, Archivo Canaval de Indian Dander de Cult.

¹⁴⁴ Morphi to Cienfuegos, February 26, 1817, Archivo General de Indias, Papeles de Cuba, Legajo 1900.

Physically ill and apparently discouraged, Robinson continued his journey, reaching New Orleans in mid-March, 1817.146 Here he met a Mr. Gillespie, a British agent, who endeavored to secure his participation in a British attack on the Floridas and Mexico;147 but Robinson was suffering from an attack of dysentery and thought only of rest and quiet. 148 He was able, in spite of his illness, to write a lengthy letter to Monroe in which he described the state of affairs in Mexico and South America. This letter is similar in nature to the one written Madison in July. 1815.149 He forwarded another report in July, 1817, relating in detail the fate of the Mina expedition. 150

Robinson rejoined his family at Natchez in the early part of October. Mrs. Robinson found her husband quite changed by his adventures.¹⁵¹ His illness forced the family to remain in Natchez until his health was restored. While he was convalescing an epidemic of yellow fever spread through the region, and several of the Robinson children were taken ill. The family, however, was not in need, for Robinson, it seems, had received compensation for his services in Mexico. He brought back a draft whose face value was \$20,000,152 and some cash.153 The draft, of uncertain value, was traded by Robinson for some land supposedly located in Mississippi or Louisiana. The alleged owner of this property was William A. Danlin, whom Robinson had met in Mexico. But the land never materialized nor was the draft ever cashed.154

By March, 1818, Robinson had sufficiently recovered from his illness to begin work on a new project. This involved the publishing of a map of Mexico and Louisiana compiled from information gathered on his various travels. The map sold for ten dollars, and an advance sale was secured through subscriptions. 155 Hezekiah Niles, editor of Niles' Register, gave the map a splendid

¹⁴⁶ Robinson to Monroe, April 12, 1817, S. D., Misc.

¹⁴⁷ Ibid.

¹⁴⁸ Robinson to Saugrain, April 5-18, 1817, Selter, 79.

 ¹⁴⁹ Robinson to Monroe, April 12, 1817, S. D., Misc.
 150 Id. to id., July 17, 1817, S. D., Misc.

¹⁵¹ Sophie Marie Robinson to Mrs. G. R. Saugrain, October 8, 1817, Selter, 87.

Sophie Marie Robinson to Mrs. G. R. Saugrain, October 8, 1817, Seiter, 87.

152 Robinson to Saugrain, April 5-18, 1817, ibid., 80.

153 Sophie Marie Robinson to Mrs. G. R. Saugrain, December 9, 1817, ibid., 92.

154 John Sibley to Stephen Austin, November 21, 1824, E. C. Barker, ed., The Austin Papers. 2 vols. American Historical Association, Annual Report (1919), II, 974-975. Some years later Mrs. Robinson sought to prevent the cashing of this draft. She wrote Dr. John Sibley, who in turn wrote Stephen Austin asking him to use his influence in Mexico to stop the honoring of the draft. (ibid.).

¹⁵⁶ Prospectus for publishing a Map of Mexico and Louisiana, March 7, 1818, S. D., Misc.

press notice in August, 1818. He had previously conversed with Robinson, and linked an account of this conversation with a description of the map and its importance. Robinson chose an opportune time to publish his map. Public interest in the southwest was at a peak in 1818, for the long disputed United States-Spanish boundary question resulting from the purchase of Louisiana was about to be settled. Negotiations preliminary to the final treaty were then taking place in Washington. Taking advantage of this situation Robinson went to the capital to secure subscribers. He apparently had marked success, for by January, 1819, he had procured over 400. The map was published in Philadelphia. While in Washington he obtained an appointment to West Point for his son Hamilton, and no doubt talked with Monroe and Madison.

A recurrence of ill-health forced Robinson to return to Natchez in early August. Long years of strenuous adventure and exposure to the elements had completely undermined his powers of resistance. His weakened condition made recovery impossible and he passed away on September 19, 1819.¹⁶¹

Robinson's career was varied indeed. His numerous frontier roles had been well executed. He devoted his talents, means, and efforts to accomplish the things which he believed to be just. Pike wrote of him at the beginning of his career:

He has had the benefit of a liberal education, without having spent his time, as too many of our gentlemen do in colleges, in skimming on the surfaces of sciences, without ever endeavoring to make themselves masters of the solid foundations. Robinson studied and reasoned; with these qualifications he possessed a liberality of mind too great ever to reject an hypothesis because it was not agreeable

157 Sophie Robinson to Mrs. G. R. Saugrain, April 30, 1818, Selter, 100.

¹⁵⁸ Niles' Register, XV, 6-7.

¹⁵⁸ Id. to id., January 24, 1819, ibid., 102. The map was published by H. Anderson of Philadelphia.

¹⁵⁹ Listed in P. Lee Phillips, A List of Maps of America in the Library of Congress (Washington, 1901), 373: "A map of Mexico, Louisiana and the Missouri territory, including also the state of Mississippi, Alabama territory, east and west Florida, Georgia, South Carolina, etc. By John H. Robinson, 66x90. Philadelphia, eng. by H. Anderson, [1819]."

¹⁶⁰ Sophie Robinson to Mrs. G. R. Saugrain, December 5, 1819, Selter, 106. H. E. V. Robinson received a warrant from the Naval office on March 4, 1823. (A. S. P.: Naval Affairs, I, 926).

¹⁶¹ Houck, III, 82. In 1839, Antoine S. Robinson, presented a memorial to Congress, claiming as the sole, legal heir of John H. Robinson, a portion of the money set aside by the claims convention of 1836. Years later he presented a similar claim, requesting that it be paid from the money set aside by Article XV of the Treaty of Guadelupe-Hidalgo, for the payment of claims of United States citizens who had aided the Republic of Mexico in its struggle for independence. (Senate Report No. 253, 34th Congress, 1st Session; Sen. Rep. No. 89, 35th Cong., 1st Sess.; Congressional Globe, XLII, 728.).

to the dogmas of the schools; or adopt it because it had all the eclat of novelty. His soul could conceive great actions, and his head was ready to achieve them; in short, it may truly be said that nothing was above his genius, nor anything so minute that he conceived it entirely unworthy of consideration. As a gentleman and companion in dangers, difficulties, and hardships, I in particular . . . owe much to his exertions. 162

Robinson did not fulfill Pike's exalted opinion of him. Perhaps Onís was nearer right when he characterized him as "one of the most infuriated enemies of Spain and the one who has with the greatest eagerness promoted the rebellion of the provinces of His Majesty." Whatever may have been his object at the outset, he developed, in the course of time, a desire to see Mexico freed from the grasp of Spain. Certainly in the later years of his life, his efforts were wholeheartedly devoted to that cause.

¹⁶² Coues, II, 498.

¹⁶³ Onis to Monroe, February 22, 1816, A. S. P.: Foreign Relations, IV, 428.

THE POLITICAL CAREER OF ROBERT CHARLES WICK-LIFFE, GOVERNOR OF LOUISIANA, 1856-1860 *

Bu THOMAS R. LANDRY

CHAPTER I

ANCESTRY AND FORMATIVE YEARS

Several hundred years after John Wickliffe, the great English reformer, excited the Catholic world with his heretical teachings and Biblical translations, his lineal descendants, the Wickliffes of America, blazed a trail to the foreground in national affairs, and there they figured prominently for over a century, in addition to dominating the politics of two states, Kentucky and Louisiana.2

The American line of that renowned family began its rise to fame with Charles Wickliffe, the grandfather of Robert Charles Wickliffe, the Louisiana governor. Though a native of Virginia,3 this adventurous pioneer crossed the mountain barriers with his family in order to take advantage of the liberal terms offered by the Land Act of 1785.4 Near Springfield, Kentucky, he made his home and it was there on June 8, 1788, that Charles A. Wickliffe, the last of nine children, was born.5

This boy received a moderate education. His attendance at the elementary schools of Springfield and Bardstown laid the foundation for a year of private instruction under James Blythe, acting president of Transylvania University.6 Next, he studied law in the office of M. D. Hardin, a cousin on his maternal side.

On being admitted to the bar in 1809,8 he became associated with a famous group of Bardstown lawyers,9 and almost immediately established a reputation. Three years later he was drafted

^{*} Master's thesis in History, Louisiana State University, 1939.

1 Hiliare Belloc, History of England, 7 vols. (New York and London, 1928), III, 83-100.

2 New Orleans Daily Picayune, April 19, 1895.

3 Allen Johnson and Dumas Malone (eds.), Dictionary of American Biography, 20 vols.
(New York, 1928-1936), XX, 182.

⁽New York, 1928-1936), XX, 182.

4 Andrew C. McLaughlin, Confederation and the Constitution (volume X, in Albert Bushnell Hart, ed., The American Nation, 28 vols., New York and London, 1905), 127.

5 Dictionary of American Biography, XX, 182. There were three other sons; namely, Robert I., Martin, and Nathaniel. Sister Marie, Librarian, to the writer, Nazareth, Kentucky, August 11, 1938. Robert I. Wickliffe rose to prominence as a land lawyer in that state. He was charge d'affaires in Sardinia for a time. New Orleans Daily Picayune, April 19, 1895; Lewis and Richard H. Collins, History of Kentucky, 2 vols. (Covington, Kentucky, 1882), 1, 359. Nathaniel also became a noted lawyer in his native state. Ibid., 482.

5 Dictionary of American Biography, XX, 182.

7 Ibid. C. A. Wickliffe's mother was Lydia Hardin. Ibid. For a brief account of M. D. Hardin's life see ibid., VIII, 246-47.

8 Ibid., XX, 182; Biographical Congressional Directory, with an Outline History of the National Congress, 1774-1911 (Washington, 1913), 1108.

9 Ben Hardin, Felix Grundy, John Rowan, and W. P. Devall. Dictionary of American

⁹ Ben Hardin, Felix Grundy, John Rowan, and W. P. Devall. Dictionary of American Biography, XX, 182.

into politics and sent to the lower house of the Kentucky legislature to represent Nelson County.10

The next year proved eventful. While still a legislator, he married Margaret Cripps¹¹ and for her he built Wickland, a beautiful home in Bardstown,12 but hardly was it completed when he answered duty's call and enlisted as a private in the American army for the war with England.18 His superiors readily recognized his ability and during the latter part of the conflict he became an aide to a general.14

Upon returning and resuming his practice, Wickliffe became commonwealth attorney for his home county in 1816.15 While he served in this capacity, his wife gave birth to a son, the first of ten children. The baby was born on January 6, 1819, at Wickland, 16 and was named Robert Charles Wickliffe for his uncle and father respectively.17

Already in moderate wealth, the family was further enriched by the elevation of the elder Wickliffe to the Kentucky lower house in 1820, followed three years later by his election to Congress. 18 This made possible a liberal education for the boy who, when quite small, was sent by his parents to Shelbyville, Kentucky, where he attended a school taught by Kean O'Hara, an Irish exile of some distinction.¹⁹ With this elementary foundation in the tool subjects, this boy of fourteen years was sent to "Buckpond" near Versailles, Kentucky, for a thorough collegiate preparation under Dr. Louis Marshall who was a brother of the illus-

¹⁰ Ibid.; Biographical Congressional Directory, 1108.

¹¹ She was the daughter of Colonel Christian Cripps, the hero of many Indian fights.

Dictionary of American Biography, XX, 182.

12 It proved to be the home of three governors: Charles A. Wickliffe and John Crepps Wickliffe Beckham, of Kentucky, and Robert Charles Wickliffe of Louisiana. Mrs. Charles C. Marshall, daughter of Governor R. C. Wickliffe, to the writer, Shelbyville, Kentucky, July 20, 1992

[&]quot;The home passed out of my family in 1919 and it is now owned by a family who show tourists through it. The advertisement of the place as the 'Home of Three Governors' was made by the people who own it now and not by the family." John Crepps Wickliffe Beckham, former Kentucky governor and United States Senator, to the writer, Frankfort, Kentucky, August 20, 1938.

¹³ Dictionary of American Biography, XX, 182.

 ¹³ Dictionary of American Biography, XX, 182.
 14 Ibid.; Alcée Fortier (ed.), Louisiana Comprising Sketches of Parishes, Towns, Events, Institutions, and Persons, Arranged in Oyclopedic Form, 3 vols. (Atlanta, 1914), II, 646.
 15 Dictionary of American Biography, XX, 182.
 16 Mrs. Marshall to the writer, July 20, 1938; unidentified Shelbyville newspaper clipping in the possession of Mrs. Marshall.
 17 New Orleans Daily Picayune, April 19, 1895. Of the other children several attained distinction. Charles A. Wickliffe, Jr. served in the Mexican War while John Crepps Wickliffe served throughout the Civil War in the Confederate Army and later became Circuit Judge and United States District Attorney for Kentucky. The youngest member of the family, Julia Trevis Wickliffe, was the mother of John Crepps Wickliffe Beckham, Kentucky governor. Beckham to the writer, August 24, 1938.
 18 Dictionary of American Biography, XX, 182; New York Tribune, November 3, 1869.
 19 Unidentified Shelbyville newspaper clipping; Collins and Collins, History of Kentucky,

¹⁹ Unidentified Shelbyville newspaper clipping; Collins and Collins, History of Kentucky,

trious Chief Justice, John Marshall.20 Two years of instruction and stern discipline in the humanities at this classical school gave "Bob" Wickliffe the background necessary for admission to St. Joseph's College at Bardstown.²¹ After attending school there for a session, he transferred to Augusta College, Augusta, Kentucky, where he was engaged for the next two years in mastering the intricacies of its curriculum.22 Upon matriculation there, he concluded his studies with an additional two years of application at Centre College, Danville, Kentucky, from which he graduated in 1840,23

Robert Charles Wickliffe, being now prepared to select a career, lost no time in choosing to follow that which had afforded his father so much success, but the rare opportunity to learn the legal profession from an expert would not have presented itself had not fortune continued to smile upon the Kentucky politician. For ten years Charles A. Wickliffe remained in the lower house of Congress, occupying for a time the chairmanship of the important Committee on Public Lands.24 Before the expiration of his term, he was an unsuccessful candidate for the United States Senate,25 but in 1833 he returned once more to the lower house of the state legislature, becoming the speaker of that body the next year.²⁶ In 1836, his constituents made him the lieutenant governor of his native state, and on the death of the governor three years later, Wickliffe became Kentucky's chief executive.²⁷

His gubernatorial term ended in 1840, so he directed his energies toward the national scene, helping to place the Whig candidate in the White House. However, on the death of the President,

20 Collins and Collins, History of Kentucky, I, 410. A rather interesting coincidence is that Robert C. Wickliffe was taught by a brother of John Marshall while a great nephew of the Chief Justice married Elizabeth Wickliffe, the Governor's daughter. Mrs. Marshall to the writer, July 20, 1938.

XX, 183.

23 Dictionary of American Biography, XX, 183; A. Meynier, Jr. (pub.), Meynier's Louisiana Biographies, 4 pts. (New Orleans, 1882), Pt. I, 35.

24 New York Tribune, November 3, 1869; Charles Lanman, Dictionary of the United States Congress and the General Government (Hartford, Connecticut, 1869), 413.

25 Dictionary of American Biography, XX, 182.

26 Ibid.; New York Tribune, November 3, 1869; Collins and Collins, History of Kentucky,

I, 364.

The Collins and Collins, History of Kentucky, I, 364; Lanman, Dictionary of the United States Congress, 413; Biographical Congressional Directory, 1108.

July 20, 1938.

Louis Marshall was the youngest child of Thomas Marshall while John Marshall was the eldest Louis was born October 7, 1773, in Virginia. He received his early education under the direction of his father and Scotch tutors. After spending a year in Philadelphia with his brother, he went abroad for study. In Edinburgh and Paris he receved instruction in medicine and surgery. Returning to Buckpond, Kentucky, to practice, he soon turned to education and set up a classical school for boys there. Later he became president of Washington College, now Washington and Lee, and for two years he served as president pro tem. of Translyvania University. Dictionary of American Biography, XII, 325-26.

21 Dictionary of American Biography, XX, 183; New Orleans Daily Picayune, April 19, 1895. While he was governor of Louisiana this college conferred the honorary degree of LL.D. upon him. Baton Rouge Daily Advocate, July 16, 20, 1858.

22 Unidentified Shelbyville newspaper clipping; Dictionary of American Biography, XX, 183.

Wickliffe, like John Tyler, quarreled with Henry Clay.28 the acknowledged leader of the party and this circumstance, coupled with his friendship for the new executive, resulted in his appointment to the cabinet in the capacity of Postmaster General.29 Nothing more fortunate for his aspiring young son could have occurred for the new position necessitated the removal of the family to Washington where Robert Charles entered the office of the Attorney General, Hugh Legare, to study law.30 The young man, being an earnest student, learned quickly the details of the profession and soon he was ready to return to Bardstown to be admitted to the bar.31

In the meantime, he had become acquainted with the belles of the capital city and from their midst, he had selected for his wife Annie R. Dawson, whose beauty, mental accomplishments, and charming disposition had completely captivated him.32 She was the daughter of John B. Dawson,³³ a Louisiana congressman, and a niece of Governor Isaac Johnson of the same state.34 The wedding ceremony was performed in Washington during February, 1843,35 and together the couple proceeded to the town of his birth where the ambitious young man determined to follow in the footsteps of his father.36

The rise to fame, though, was not by the easy path, for hardly had he begun his legal practice when he was overcome with a serious illness. For weeks he lay at the point of death with pneumonia, but due primarily to the excellent nursing by the former Washington society girl, Wickliffe slowly regained his strength.

²⁸ Niles' National Register (Philadelphia and Baltimore, 1811-1848), LXI, (1841), 69.

²⁸ Niles' National Register (Philadelphia and Baltimore, 1811-1848), LXI, (1841), 69.
29 Ibid.; Dictionary of American Biography, XX, 182.
30 Hugh Legare was born in Charleston, South Carolina, in 1797, and after studying at several private schools and one high school, he entered the College of Charleston. He then spent a year under Dr. Moses Waddel at Wilmington and at the age of fourteen he entered the sophomore class at South Carolina College where he remained for three years. In 1818, he went to Europe to study in Paris and Edinburgh, returning two years later. That same year he was sent to the state legislature where he served almost uninterruptedly for the next decade. In 1830, he became attorney general for his native state and in this capacity he attracted much attention. This publicity resulted in his appointment as charge d'affaires to Belgium, which position he held for four years. On his return to America, he was sent to Congress and in 1840, during the campaign, he became a staunch friend of John Tyler. Subsequently, when Tyler was elevated to the Presidency, he appointed Legare his attorney general, and later Secretary of State ad interim when Webster resigned. Dictionary of American Biography, XI, 144-45.
31 Ibid., XX, 183.
32 New Orleans Daily Picayune, April 19, 1895.
33 Ibid.; Louise Butler, "West Feliciana: A Glimpse of its History," in Louisiana Historcal Quarterly (Baton Rouge, 1917-), VII (1924), 100. His term in Congress was from March 4, 1841 to March 4, 1845. Louisiana Secretary of State Report for 1902 (Baton Rouge, n. d.), 316-17.

 ³⁴ Baton Rouge Weekly Comet, May 29, 1853. Johnson was governor of Louisiana from 1846 to 1850. Alcée Fortier, History of Louisiana, 4 vols. (New Orleans, 1903).
 ³⁵ New Orlean Daily Picayune, April 19, 1895; Baton Rouge Gazette, March 4, 1843.
 ³⁶ Unidentified Evening Post newspaper clipping in the possession of Mrs. Marshall; Librarian, Centre College, to the writer, Danville, Kentucky, June 24, 1938.

When he had recovered sufficiently to bear a shock, he was told that he had been left with weak lungs and only a change of climate would insure the permanency of his recovery.37 The young lawyer did not hesitate even though removal meant beginning anew. Consequently, early in 1846, the young couple bade relatives farewell and turned their faces southward where honor and success awaited the recuperating patient.

This decision to seek a more healthy climate was a distinct loss for the "blue grass" state, but it was Louisiana's gain for although Robert C. Wickliffe was a stranger to the latter state in 1846, ten years later he held the highest position in the gift of its people.38

CHAPTER II

SENATE SENATOR, 1852-1855

The Wickliffes directed their course to the little Louisiana town of St. Francisville which was the home of the Dawsons. Since the death of Anna's father the previous year, her mother operated the large cotton plantation² which was located a mile south of the town on the road leading to Baton Rouge.3 To this place, known as Wyoming,4 the ailing Kentuckian and his wife traveled, finally taking up their residence in the spacious country home⁵ which offered ideal conditions for a speedy recovery.

³⁷ Mrs. Marshall to the writer, July 20, 1938. Forty-two years later, Wickliffe's nephew. Charles Wickliffe Beckham, came to visit Louisiana for his health. He, too, was a successful lawyer, having practiced in Colorado. However, instead of recovering, he gradually grew worse, so he returned to Kentucky where he died shortly after the trip home. St. Francisville, Louisiana, Feliciana Sentinel, April 28, June 16, 1888.

Louisiana, Feticiana Sentinei, April 28, June 10, 1888.

38 The elder Wickliffe continued to play a prominent part in state and national politics. At the completion of his cabinet term, he was converted to the Democracy on the question of Texas annexation, so in 1845, he received an appointment as special agent to that republic to ferret out the designs of England and France there. Samuel F. Bemis (ed.), American Secretaries of State and Their Diplomacy, 10 vols. (New York, 1927-1928), V, 185, 189. Returning to state politics, he was elected to the Constitutional Convention of 1849, in which body he held the chairmanship of the Committee on the Court of Appeals. Collins and Collins, History of Kentucky, I, 367. The next year he was appointed by the legislature on a committee to revise the statutes of the state. Dictionary of American Biography, XX, 182.

¹ John B. Dawson died June 26, 1845, New Orleans Daily Picayune, June 29, 1845.

² It contained about 350 acres. Succession of John B. Dawson, East Feliciana Probate Records (Court House, St. Francisville, Louisiana), No. 10 (1844-1848), 228-30.

⁴ In the succession of John B. Dawson, the estate became the property of Margaret Dawson and children, Anna, John B., and Ruffin. Within a short time, the sons sold their shares to their mother. When she died in 1866, Wickliffe bought the plantation in his daughter's name. Later she legally transferred its title to him. West Feliciana Parish Probate Recorls, No. 10 (1844-1848), 228-30; West Feliciana Notarial Records (Court House, St. Francisville, Louisiana), I (1844-1849), 599; West Feliciana Probate Sales Book (Court House, St. Francisville, Louisiana), E (1848-1873), 449-50; West Feliciana Notarial Records, O (1865-1867), 218-19.

⁵ The house was large. A porch extended the entire width of the building and its roof was supported by large square posts. Four rooms opened on this porch and the second floor was almost a duplicate of the first. Interview with Miss Oriana Pillet, niece of Charles L. Fisher who was Governor Wickliffe's law partner, St. Francisville, Louisiana.

The home burned after the death of the governor. Mrs. Marshall to the writer, July 20, 1938.

Wickliffe fell naturally into the pattern of country life and it was not long before he recovered sufficiently to resume the practice of his profession. Instead of returning to his native state, he decided to pursue his chosen career in St. Francisville, so late in 1846, or early in 1847, he opened a law office there.6

Success comes to most people rather tardily and Wickliffe was no exception. Cases were few at first but when he became associated with A. D. M. Haralson, an established lawyer, the volume of his business increased amazingly8 and soon he was a familiar figure at every court session in the district.

So convincing was he in the courtroom that the Democrats of West Feliciana selected him as their candidate for state senator in 1851.9 Considering that the Whigs were very strong in the Felicianas, the task of being elected was difficult but Wickliffe expended his every resource toward that end. During the progress of his vigorous campaign, he sought to impress the voters with the argument that his election would increase the possibility of another Democratic senator representing Louisiana in Washington because the next legislature was scheduled to elect someone to succeed Solomon W. Downs whose term expired March 4, 1853.10 His success was phenomenal for when the polls closed on November 2, 1851,11 the people of West Feliciana had elected him overwhelmingly¹² in a contest marked by Whig victories throughout the state.13

When the legislature convened the following year, the Whigs had a slight majority in both houses, so Wickliffe was given little opportunity at first to function to the full extent of his abilities. Receiving only a minor appointment on the Public Education Committee¹⁴ headed by Duncan F. Kenner, ¹⁵ the Feliciana senator had little influence during the early days of the session¹⁶ but as the

⁶ On June 12, 1847, he argued his first case in the District Court. West Feliciana District Court Records (Court House, St. Francisville, Louisiana), No. 3 (1846-1851), 76-77.

⁷ Ibid.
8 West Feliciana Record of Judicial Proceedings (Court House, St. Francisville, Louisiana), B (1850-1856), 8-9, 10-11, 33-35, 35-36; West Feliciana District Court Fee Book (Court House, St. Francisville, Louisiana), A (1852-1858), 462, 469, 474, 476, 485.
9 Carrollton, Louisiana, Star, November 15, 1851.
10 Louisiana Senate Debates, 1853, p. 30. In 1853, when the Democrats had a majority in the legislature, they tried to nullify the election of Judah P. Benjamin by the preceding legislature but their efforts went for naught as Wickliffe, though virtually threatened with expulsion from the party, led a successful fight against this move. He considered justice above party loyalty. Ibid., 15, 30-32.
11 Franklin, Louisiana, St., Mary's Planters' Banner, November 8, 1851.
12 New Orleans Daily Delta, November 16, 1851.
13 Ibid., November 5, 1851.
14 Louisiana Senate Journal, 1852, p. 25.

Louisiana Senate Journal, 1852, p. 25.
 Louisiana Senate Journal, 1852, p. 25.
 Ibid.; George Mitchell, "The Ante-Bellum Career of Duncan F. Kenner" (M. A. Thesis, Louisiana State University, Baton Rouge, 1936), 87.
 Louisiana Senate Journal, 1852, p. 36.

weeks passed he could not be ignored17 and before adjournment he was termed "one of the most prompt, energetic, and sagacious of the body."18

During the course of that first year, he vigorously opposed the calling of a constitutional convention but when it became a reality,20 he urged his constituents to participate in the election for delegates; however, he cautioned them to demand that all candidates make public statements of their views before the election.21 When the completed constitution was placed before the voters,²² Wickliffe opposed its adoption, but although his labors were successful locally.²³ they went for naught as votes from the entire state were tabulated.24

Accepting the verdict, he immediately became a candidate for his former position. This time he had no opposition so he was declared duly elected.25 On returning to the senate for the first session under the new constitution. Wickliffe drew the short term,26 so in the fall he again went before the electorate of West Feliciana.²⁷ This election proved a repetition of the previous one²⁸ and for the third consecutive year he became the choice of West Feliciana for state senator.

During Wickliffe's second year in the legislature many of the conditions typical of the former session were reversed since the Democrats had been victorious the previous November.²⁹ Being already a prominent figure in Democratic circles, 30 he received his share of laurels when the legislature convened. In the reorganization of the senate under the dominant party, Wickliffe became the chairman of the Committee on Public Education and a member of the important committees on Federal Relations and Banks and

17 Ibid., 176-96.

¹⁸ New Orleans Daily Delta, February 5, 1852. A year later a New Orleans paper remarked that Wickliffe "though a young man, [was] decidedly, in point of Parliamentary skill, as well as in talents for debate and off-hand speaking, one of the ablest of the Democratic Senators." New Orleans Weekly Delta, April 10, 1853.

New Orleans Weekly Delta, April 10, 1853.

19 Louisiana Senate Journal, 1852, pp. 77-79.

20 Louisiana Acts, 1852, No. 73, pp. 57-59.

21 Bayou Sara, Louisiana, Ledger, May 11, 1852.

22 Journal of the Convention to form a New Constitution for the State of Louisiana (New Orleans, 1852).

23 West Feliciana voted against the constitution 248 to 244. New Orleans Weekly Delta, December 5, 1852.

²⁴ Fortier, History of Louisiana, III, 251.
25 Opelousas, Louisiana, Courier, January 8, 1853.
26 Louisiana Senate Debates, 1853, p. 23.
27 Bayou Sara Ledger, August 20, 1853.
28 Baton Rouge Weekly Comet, November 13, 1853.

Opelousas Courier, January 8, 1853: Fortier, History of Louisiana, III, 253.
 When the Democratic State Convention met in Baton Rouge on March 9, 1852.
 delegates chose Wickliffe a substitute elector. New Orleans Daily Delta, March 12, 1852.

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Banking.³¹ On special committees he served with distinction³² in spite of the fact that much of his time was spent in the chair of the presiding officer. Early in 1853, by unanimous vote, he became the president pro tem of the senate.33 During the next session, he served in the same capacity,34 and on the death of the lieutenant governor,35 he was the choice of his fellow legislators for the presidency of the senate.36 This new honor was a "marked tribute to his ability and popularity."37

The discharge of the difficult and often perplexing duties of the presiding officer occupied Wickliffe's time so completely that, exclusive of the year 1853, he had little opportunity to pursue a definite course on current legislation. However, despite these obstacles, he contrived to influence action on major questions pertaining to education, banking, and internal improvements.

Being for several years the chairman of the Committee on Public Education,³⁸ he was intensely interested in its affairs. Since he placed the blame for the wretched condition of the schools upon the parish superintendents, he obtained the passage of acts to abolish that office.³⁹ When this was done it was found necessary to reorganize the whole system, so this step was taken next. Under his guidance laws were passed which provided funds and administrative officials under a completely new organization.40 Compositely, these acts specified that a one mill tax be levied and that school lands be sold to provide necessary funds, while school finances would be handled locally by parish treasurers and administrative affairs in each district would be under the supervision of three directors.

In addition he participated actively in senate debates on higher education. Though unsuccessful, he proposed to locate the State Seminary of Learning at Baton Rouge. 41 He favored state

³¹ Louisiana Senate Journal, 1853, p. 16.
32 Some committees on which he served were: Joint Committee to Count the Votes of the General Election; another to witness the Inauguration of Governor Paul O. Hebert at Bayou Goula, Louisiana; Committee on Rules and Regulations; Committee on the Disbursement of the Contingent Fund; Washington Statue Committee; Committee to Consider a Bill Pertaining to the Emancipation of Slaves. Louisiana Senate Journal, 1853, p. 9; 1854, pp. 1-2, 19; 1855, p. 12; New Orleans Weekly Delta, January 23, 1853.
33 Louisiana Senate Journal, 1853, p. 86; Louisiana Senate Debates, 1853, p. 8.
34 Louisiana Senate Journal, 1854, p. 11.
35 New Orleans Daily Delta, October 30, 1854; Baton Rouge Weekly Comet, November

³⁸ New Orleans Dauy Deco.,
4, 1854.
38 Louisiana Senate Journal, 1855, p. 1.
38 Louisiana Senate Journal, 1852, p. 16; 1854, pp. 9-10.
39 Louisiana Senate Journal, 1852, pp. 153, 193; Louisiana Acts, 1852, No. 310, pp.
30 Louisiana Senate Journal, 1852, pp. 153, 193; Louisiana Acts, 1852, No. 310, pp.
210-12; No. 311, pp. 212-13.
40 Louisiana Acts, 1853, No. 213, pp. 213-22; 1854, No. 224, p. 157; 1855, No. 181, p.
242; No. 265, p. 329; No. 316, pp. 401-403; No. 321, pp. 422-32.
41 Louisiana Senate Journal, 1852, p. 156. This institution became Louisiana State University of today. Fleming, Walter L., General W. T. Sherman as a College President . . .

aid for colleges, but when a movement was launched to force indigent youths who had been educated by the college in return for this aid to become teachers in the public schools for a specified time, Wickliffe joined the opposition and successfully defeated the move.⁴²

Second only to his interest in public education was Wickliffe's concern over the security of Louisiana's banking system. From his first term in the senate he strove to insure the economic stability of the state. Allying himself with a small group, he worked for the defeat of the Citizens' Bank Bill which proposed to restore banking privileges and powers to the defunct bank.⁴³ However, the bill passed both houses in spite of the opposition, but the governor vetoed it⁴⁴ as he had done a similar one of the previous year.⁴⁵ This time, though, the sponsors were strong enough to pass it over the veto.⁴⁶

As a member of the Committee on Banks and Banking at the next session, he opposed the passage of several free banking laws.⁴⁷ Thy were unsatisfactory to him because he considered unsafe a portion of the bonds which were made the basis of the circulating medium. Consequently, he predicted that in a short time the state would have a degraded currency and this in turn would plunge Louisiana "into one of those spasmodic revulsions from which it [had] scarcely recovered."⁴⁸ Nevertheless, the friends of free banking had no trouble in enacting the bills into laws.⁴⁹

Wickliffe lost no opportunity to express his opinion on every major question before the senate, but he was particularly active in supporting legislation which encouraged internal improvements. As early as 1852, he worked zealously for the passage of bills to permit the state to sell swamp lands, and later he sponsored legislation to reimburse landowners for damages done to their property as a result of the building of cutoffs on the Mississippi River.⁵⁰ In addition, he was instrumental in the passage of the

⁴² Louisiana Senate Journal, 1853, p. 39; Louisiana Senate Debates, 1853, pp. 141-42, 35.

⁴³ Louisiana Senate Journal, 1852, pp. 83, 143.

⁴⁴ Ibid., p. 113.

⁴⁸ New Orleans Daily Delta, February 5, 1852.

⁴⁶ Louisiana Acts, 1852, No. 141, pp. 109-11.

⁴⁷ Louisiana Senate Journal, 1853, pp. 122, 168.

⁴⁸ Louisiana Senate Debates, 1853, pp. 102-20.

⁴⁹ Louisiana Senate Journal, 1853, p. 103; Louisiana Acts, 1854, No. 88, p. 55; No. 219, pp. 151-52; No. 214, p. 148; Harold Heck, "The Development of Banking in Louisiana" (M. A. Thesis, Leuisiana State University, Baton Rouge, 1931), 71-73.

⁵⁰ Louisiana Senate Journal, 1852, pp. 144-146; 1854, p. 11.

Swamp Land Act,⁵¹ which divided the state into three districts; and with the revival of railroad building, 52 he gave his approval to acts which authorized the state to subscribe to stock in the railroad companies,53 but he unsuccessfully tried to attach safeguards to the latter in the interest of the state.54

So creditably did he conduct himself in the senate that during the early months of 1855 he was one of the most frequently mentioned gubernatorial possibilities, 55 but the unprecedented rise of a powerful, new political party made him reluctant to accept the nomination if tendered. 56 He hesitated to risk his political career in a contest with this rapidly rising American, or Know Nothing, party⁵⁷ whose rituals and attractive platform⁵⁸ exerted such a fascination over the electorate that the entire state seemed to be flocking to its banner. 59 However, when the state Democratic Convention assembled at Baton Rouge in June, 60 Wickliffe's friends were so insistent that in spite of his letter refusing the nomination, 61 he capitulated. 62 Upon accepting the nomination he pledged himself to do his duty in the campaign as a Democrat and an American citizen. He promised to meet the enemy wherever he showed his front and to seek him out in his hiding places and bring him to light.63

⁵¹ Louisiana Senate Debates, 1853, pp. 131-32; Louisiana Acts, 1853, No. 328, pp. 289-93. He defended this act against the charge that it violated the part of the constitution which provided for the establishment of a Board of Public Works, but he fought bitterly against a movement to abolish the disputed part of the constitution. Louisiana Senate Debates, 1853, p. 91; Louisiana Senate Journal, 1854, p. 73.

⁵² James Robb to Wickliffe, New Orleans, February 1, 1856, in New Orleans Daily Crescent, March 6, 1856; Harry H. Evans, "James Robb, Banker and Pioneer Railroad Builder of Ante-Bellum Louisiana" (M. A. Thesis, Louisiana State University, Baton Rouge, 1935), 43-78.

⁵³ Louisiana Acts, 1854, No. 108, pp. 69-72; No. 109, pp. 72-75; Louisiana Senate Journal, 1854, p. 117.

⁵⁴ Louisiana Senate Journal, 1854, p. 66.

⁸⁵ Baton Rouge Democratic Advocate, February 11, 1855; New Orleans Daily Crescent, May 11, 1855; Plaquemine, Louisiana, Iberville Gazette, quoted in the Baton Rouge Democratic Advocate, April 19, 1855.

⁵⁶ For the rise of the American party see George M. Stephenson, "Nativism in the Forties and Fifties, with Special Reference to the Mississippi Valley," in Mississippi Valley Historical Review (Cedar Rapids, 1914-), IX (1922-1923), 185-202; Arthur C. Cole, "Nativism in the Lower Mississippi Valley," in Proceedings of the Mississippi Valley Historical Association (Cedar Rapids, 1909-1917), VI (1912-1913), 258-75; W. D. Overdyke, "History of the American Party in Louisiana," in Louisiana Historical Quarterly (Baton Rouge, 1917-), XV (1932), 581-88; XVI (1933), 84-91, 256-78, 409-26, 608-27; Fortier, History of Louisiana, III, 254.

⁵⁷ New Orleans Daily Crescent, May 11, 1855.

⁵⁸ For the complete platform see the Baton Rouge Weekly Advocate, July 12, 1855.

⁵⁹ Charles Gayarré, History of Louisiana, 4 vols. (New Orleans, 1903), IV, 678; Plaquemine, Louisiana, Southern Sentinel, September 8, 1854.

⁶⁰ The convention assembled June 18, 1855. New Orleans Daily Delta, June 19, 20, 1855; Baton Rouge Daily Comet, June 19, 1855.

⁶¹ New Orleans Louisiana Courier, June 22, 1855; New Orleans Daily Crescent, May 11, 1855.

⁶² Baton Rouge Democratic Advocate, June 21, 1855. The victory of Henry A. Wise over the Know Nothing candidate in Virginia and the failure of the American Convention to seat the official Louisiana delegation influenced his action. Plaquemine Southern Sentinel, June 23, 1855; New Orleans Daily Delta, June 1, 15, 1855.

⁶³ Baten Rouge Democratic Advocate, June 21, 1855.

With a man of "his acknowledged abilities—his genuine patriotism—his freedom from local or sectional prejudices, and his large and comprehensive views of State policy,"64 to head their nominees, the Democrats proceeded to complete their ticket and formulate a platform. C. H. Mouton was selected for lieutenant governor; A. S. Herron, secretary of state; Samuel F. Marks, auditor; C. E. Grenaux, treasurer; E. Warren Moise, attorney general; and Samuel F. Bard, superintendent of education. 65 Immediately following the adoption of a platform which was favorable to slavery, Cuban annexation, and President Pierce's administration, the convention adjourned.66

In the meantime the opposition was not idle, for "like a thief in the night"67 the Know Nothing party had entered Louisiana and in the space of a few years it had become a determining factor in state politics. Built upon the disintegrating ruins of the Whig party 68 and based upon popular opposition to foreigners, the organization. 69 mysterious even to a majority of its membership, 70 became national in character during the early months of the election year.71

However, the Louisiana order was unique. Although its members accepted many of the principles embodied in the national platform, they repudiated that part which expressed opposition to the Catholic Church.72 The Louisiana Know Nothings realized that adherence to that section would make a campaign hopeless in a state which was predominantly Catholic.73 Notwithstanding these differences with the central organization, the state party

⁶⁴ Plaquemine Iberville Gazette, quoted in Baton Rouge Democratic Advocate, April 19, 1855.

**Baton Rouge Democratic Advocate, June 21, 1855.

^{**}S Baton Rouge Democratic Advocate, June 21, 1855.

**Bew Orleans Daily Delta, June 22, 1855.

**T In the opening speech of the gubernatorial campaign, Wickliffe said of the American party: "It is impossible to say when the party arose here. It came silently and darkly, like a thief in the night, . . and it has worked ever since in a congenial spirit." Ibid., July 20, 1855.

**S John Smith Kendall, History of New Orleans, 3 vols. (Chicago, 1922), I, 209-10; Plaquemine Southern Sentinel, August 12, October 7, 1855.

**Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1933), 85-91; Fortier, History of Louisiana, III, 254.

**To Fortier, History of Louisiana, III, 254. There were three degrees in the order. Those of the first degree, or those just received into the party, were bound to secrecy and to support the nominations. The second degree was composed of more select members who, though bound by more oaths, were eligible for candidates. Lastly, was the third or Union degree which was attained by very few.

Since the majority of the members were first degree members they "could honestly say

Since the majority of the members were first degree members they "could honestly say they 'Knew Nothing' of its name, organization, members or policies." Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1938), 91.

11 Fortier, History of Louisiana, III, 261-262; Baton Rouge Democratic Advocate, June 21, 1855; New Orleans Daily Delta, June 14, 15, 1855; New Orleans Louisiana Courier, June 16, 1855

²¹ Fortler, Matory 6, Daily Delta, June 14, 15, 1855; New Orleans Daily Delta, June 14, 15, 1855; New Orleans Daily Delta, June 16, 1855.

²² Louisiana platform: "While we approve the platform adopted by the late National Council of the American Party at Philadelphia, we reject the application of the principles of the eighth article to American Catholics, as unjust, unfounded, and entirely unworthy of our country." Baton Rouge Weekly Advocate, July 26, 1855.

²³ Ibid., July 12, 19, 1855; Jackson Mississippian, quoted in ibid., July 26, 1855.

began intensive preparations for a supreme test of its strength. In an effort to attract the Catholic support, the members in convention selected the well known political figure, Charles Derbigny, for their gubernatorial nominee.74 For the remainder of the ticket they named Louis Texada for lieutenant governor; Robert G. Beale, secretary of state; J. V. Duralde, treasurer; Walter Rossman, auditor; Randall Hunt, attorney general; and O. D. Stillman, superintendent of public education. 75 In their platform they promised more stringent naturalization laws, fairer distribution of offices, stricter economy in government, and non-intervention with slavery by the Federal government.⁷⁶

The campaign began in earnest with huge ratification meetings. The American candidates opened hostilities with vigor at New Orleans on July 11,77 while eight days later the Democratic speakers addressed a similar gathering in the same city. 78 At this latter meeting Wickliffe struck the keynote of the entire campaign when he removed all possibilities of a contest of personalities. He announced that since he was sure his antagonist was a "high toned and honorable man,"70 he intended to conduct the canvass on high grounds, "striking alike for principle and never from personal animosity."80 True to his promise, the Democratic nominee refrained from personal references to opposing candidates, and since, with few exceptions,81 the Know Nothings did likewise, the campaign was waged as a contest of principles. It became a struggle to the death between two divergent schools of political thought and the candidates were merely the actors.

A thorough canvass of the state was made by both parties. From the Gulf of Mexico to the Arkansas border, Wickliffe and his friends attacked the platform of the American party.82 They charged that religion was a test for membership and as proof they pointed to the refusal of the American National Council to seat the Catholic delegation headed by Charles Gayarré.83

⁷⁴ Baton Rouge Weekly Comet, July 8, 1855.

Gayarré, History of Louisiana, IV, 678; Baton Rouge Weekly Advocate, July 12, 1855.
 New Orleans Daily Delta, July 12, 1855.

⁷⁸ Ibid., July 20, 1855; New Orleans Daily Crescent, July 20, 1855; Baton Rouge Weekly Advocate, July 26, 1855.

⁷⁹ New Orleans Daily Delta, July 20, 1855.

⁸⁰ Ibid.

S1 The Know Nothing press was merciful in its criticism of Wickliffe. New Orleans Daily Orescent, October 4, 24, 1855; New Orleans Louisiana Courier, September 7, 1855; Baton Rouge Weekly Advocate, September 27, October 4, 1855.
 S2 Baton Rouge Weekly Advocate, July 19, August 23, September 20, October 4, 1855; New Orleans Daily Crescent, July 20, September 18, November 3, 1855; New Orleans Louisiana Courier, August 2, November 1, 1855; Opelousas, Louisiana, Patriot, August 11, 1855.
 S3 Gayarré, History of Louisiana, III, 678-79; Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1933), 261-62; Fortier, History of Louisiana, III, 254.

Asserting that foreigners and Americans had marched side by side since the days of Lafayette, they ridiculed the Know Nothings' fanatical hatred of foreigners.84 In refutation, the Americans pointed to their state platform, the religion of their nominee for governor, and the alarming number of foreigners that were pouring into New Orleans and taking out naturalization papers.85

The campaign came to a close amid great confusion. There were heated disputes over the power of certain New Orleans courts to naturalize foreigners. 86 Charges were made by the Know Nothings that large numbers of foreigners were being sent to Plaguemines Parish to repeat the frauds of 1844.87 According to current reports, cannon were being manned in New Orleans for purposes of intimidation.88 The Democrats reported wholesale withdrawals from the opposing party and they likewise claimed that there was dissension in the American ranks.89

On November 2, the electorate of Louisiana went to the polls ·to settle the issue and with the exception of two precincts in New Orleans, there were no serious disturbances.90

As the votes were tabulated the Americans seemed headed for victory when they assumed an early lead in New Orleans,91 but as the returns from the country parishes became available, the Democratic party forged to the front and upon completion of the count, it was found that Wickliffe had been elected by over 3000 votes.92 The fact that he carried thirty-one of the fortyeight parishes is evidence of the thoroughness of the Democratic victory, for the election clearly demonstrated that the American Party had little support outside of New Orleans.93

The victory established for the governor-elect a national reputation.94 From the titanic struggle he had emerged as "the

^{**} New Orleans Daily Delta, July 20, 1855.

** Overdyke, "History of the American party in Louisiana," loc. cit., XVI (1933), 268-73;

Opelousas Patriot, September 29, 1855.

** New Orleans Daily Orescent, October 15, 17, November 1, 1855.

** Ibid., October 26, November 1, 1855.

** Ibid., November 3, 1855.

** New Orleans Louisiana Courier, August 7, October 18, 1855; Baton Rouge Weekly Advocate, November 3, 1855; Overdyke, "History of the American Party in Louisiana," loc. cit., XVI, (1933), 269.

Though denied by the Americans, the Democrats claimed that a second Know Nothing cicket headed by John Ray was in the contest. New Orleans Louisiana Courier, August 3, 1855; Baton Rouge Weekly Comet, October 14, 21, 1855.

**Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1933), 276.

**Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1933), 276.

**Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1933), 276.

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**Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1933), 276.

**Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1933), 276.

⁹⁰ Overdyke, History of the American School of the School of the American School of the School of the

Hercules that had strangled [Know] Nothingism,"95 for the decline of that party in the nation dates from the election of Henry A. Wise in Virginia⁹⁶ and Wickliffe in Louisiana.⁹⁷

CHAPTER III

GOVERNOR, 1856-1860

The populace of the city of Baton Rouge arose early on Monday, January 30, 1856. Everyone was eager to witness the inaugural ceremonies of the Democratic standard-bearer whose vigorous campaign had saved the state of Louisiana from Know Nothing supremacy in spite of the attractiveness of its general theory of political rights, the pretentiousness of its patriotism, and the purity of its professions. It was truthfully a day of rejoicing for the entire state and none was happier than the successful gubernatorial candidate, Robert Charles Wickliffe, of West Feliciana.

He viewed with enthusiasm the preparations for the celebration. From an early hour he had watched the arrival of visitors who filled the streets.1 According to schedule, at eleven o'clock everything was in readiness and the moment was tense with excitement. Presently, the governor-elect and Governor Paul O. Hebert were escorted down Lafayette Street where they were joined by several companies of militia, fire companies from New Orleans, numerous fraternal societies, and a large concourse of citizens.² The procession moved down the thoroughfare to the Capitol, where, after some delay,3 Hebert conducted Wickliffe to the speakers' stand in the House of Representatives.

As the booming of the cannon ceased and the "inspiring strains of music" died away the outgoing executive delivered his valedictory address.4 He thanked the people for the high trust they had placed in him and concluded with a tribute to his successor:

Unidentified newspaper clipping in the Wickliffe Collection (Louisiana State University Archives, Baton Rouge).
 New Orleans Daily Delta, June 1, 2, 8, 1855.

⁹⁷ New Orleans Daily Picayune, April 19, 1895; Kendall, History of New Orleans, I, 210.

⁹⁷ New Orleans Daily Picayune, April 19, 1895; Kendall, History of New Orleans, 1, 210. Two years of Wickliffe's term in the state senate remained but the results of the election necessitated his resignation, so Bertrand Haralson was elected to succeed him in that body. Baton Rouge Democratic Advocate, March 22, 1855; New Orleans Louisiana Courier, November 30, 1855; January 17, 1856; Opelousas Courier, December 15, 1855.

Baton Rouge Weekly Morning Comet, February 3, 1856.

Baton Rouge Weekly Advocate, February 2, 1856; New Orleans Daily Crescent, January 31, 1856; Baton Rouge Weekly Morning Comet, February 3, 1856.

On arrival at the Capitol everyone was surprised to find the legislature in joint session, electing a printer. New Orleans Daily Crescent, January 31, 1856; Baton Rouge Weekly Advocate. February 2, 1856.

electing a printer. New Or Advocate, February 2, 1856.

⁴ New Orleans Daily Crescent, January 31, 1856.

I am proud the Executive mantle falls upon shoulders so worthy to wear it. A son of the South—one allied to the South by the holiest of ties—a native of a State which, if not the mother, is certainly prolific of great statesmen. He needs no laudatory comments from my lips or from others. Depend upon it, he will prove himself a Chevalier Bayard of a Governor, and will do his duty, "sans peur et sans reproche."5

After the oaths were administered to the incoming officials,6 Governor Wickliffe read his inaugural address in an impressive manner before the hushed assembly. Assuring the throng that he fully realized the responsibilities of his office, the Governor outlined the policy he intended to follow. He planned to recommend measures to the legislature for adoption. He promised to be judicious in his appointments and to give his approval to acts which might make more secure the doctrine of state rights. His immediate attention would be given to election evils in New Orleans as well as internal improvements of every kind. In general, he intended to perform his duties "with a singleness of purpose" for the "promotion of the honor and prosperity of the State."7

There was complete silence as the Governor concluded his remarks, but in a moment pandemonium broke loose, and the speaker barely escaped being mobbed as many persons crowded to the platform to congratulate the new executive.8 With difficulty the members of the legislature formed a procession and escorted the Governor to his temporary residence and thence to the home of former Governor Hebert whose guest he became. For the rest of the day the capital "wore a lively holiday appearance," and when, at nightfall, a previously announced ball did not take place, there "ended the gaiety and pleasure of the most memorable inauguration ever witnessed in Louisiana."10

By next morning the citizens of the state had had time to reflect on the oration of the previous day, and it was soon realized that there were three problems to which the governor attached great importance from the very beginning: the national political situation, elections in New Orleans, and state expenditures for

⁵ Ibid.; Opelousas Courier, February 16, 1856.

Opelousas Courier, February 16, 1856.

Opelousas Courier, February 16, 1856.

Baton Rouge Weekly Advocate, February 2, 1856. The message was favorably received; even the opposition applauded it. New Orleans Daily Crescent, February 1, 1856.

New Orleans Daily Crescent, January 31, 1856.

Baton Rouge Advocate, quoted in New Orleans Daily Crescent, January 31, 1856.

¹⁰ Ibid.

internal improvements. As subsequent events necesitated the addition of public education and banking to the previously named three, it is necessary to treat them all with some degree of thoroughness, for much of Wickliffe's time during his incumbency was consumed in dealing with these and numerous minor problems.

The political situation in general was distressing. The Kansas question was far from settled, Northern opposition to the Fugitive Slave Law was constantly increasing, and a sectional partly based upon hostility to the extension of slavery was fast gaining ascendance in Congress. In addition, a presidential election was scheduled to take place in the fall, and the spectre of a Black Republican in the White House aroused all true Democrats to action.

Under these circumstances it was not strange that Governor Wickliffe took a strong stand in his inaugural upon that point.11 He regretted that the Federal government had steadily advanced in the usurpation of power beyond that delegated to it by the framers of the Constitution. It was high time for the Southern states to call a halt to this encroachment, because such continued practice would place life, liberty, and property at the mercy of bare majorities in Congress. Already the South was in a minority in the House of Representatives and the Electoral College. That must always be so, but if the insanity of the newly organized party went on unabated, soon the admission of new slave states would be prohibited and the South's Senatorial parity would cease to exist. When that time arrived, the aggressive spirit of the North would so direct legislation that the slave states would find it necessary to abandon the Union. He did not wish to speak lightly of the Union, but the time for separation would arrive when no more slave states could be added to the United States. It was the proper time to calculate the value of the Union, for secession was fast becoming a popular subject for discussion, seemingly desirable to some, and occasioning indifference in others.

The Governor, nevertheless, was not resigned to the inevitableness of secession, for he saw several possible remedies to the vexing situation. In the first place, no more transgression upon the powers of the state by Congress should be allowed. On

¹¹ Opelousas Courier, February 16, 1856; Baton Rouge Weekly Advocate, February 16, 1856.

this point Wickliffe was adamant, as he could not conceive compromise when a right secured to the South by the Constitution was at stake. Second, the South must act as a unit in fighting the fanaticism "which the misguided people of the North [had] adopted through the designs of artful men, covetous only of their own political advancement."12 Only by united action under the protecting wing of the Democratic party could the South hope to curb successfully the political ambitions of the opposition. Third, the principle of non-intervention by Congress in the domestic institutions of a territory must be continued.

Wickliffe's sentiments, undoubtedly, were those of a genuine Southern Democrat, for the National Convention of Cincinnati a short time later adopted a platform embodying many of the same principles.13

After taking such a strong stand on Democratic doctrine, the Governor was determined that the party in Louisiana would not meet defeat through any fault of his, so he embarked on a speaking tour on behalf of Democratic electoral candidates.14 This occasioned much criticism from the Know Nothings, 15 who, despite their failure the previous year, were making a strong bid for the vote of the state. However noble the intentions of the chief executive, his campaigning afforded an opportunity for the Know Nothings to misrepresent facts for their own purposes. The chance to do this presented itself when John C. Breckinridge, the Democratic candidate for the vice-presidency, stated in a speech at Tippecanoe that he belonged to no party that had for its object the extension of slavery. 16 Such a statement, unless qualified, was heresy to the Southern people, and Colonel R. A. Stewart, a prominent Know Nothing, cunningly laid his trap. 17 If he could get the Governor to endorse the speech, as any good Democrat would be forced to do, the American party in Louisiana was assured of victory because the people of the state were unwilling to accept such a position. Accordingly, he approached Wickliffe with his query, and when he received the answer he expected, he hurried to the friendly press to report the matter. The Governor was much chagrined when he read an article

¹³ Cincinnati platform, New Orleans Louisiana Courier, June 13, 1856. 14 Baton Rouge Weekly Advocate, August 2, 1856.

 ¹⁵ West Baton Rouge Weekly Advocate, August 2, 1856.
 16 Baton Rouge Weekly Advocate, October 4, 1856.
 17 Though the Know Nothings took no definite stand on slavery they knew they could get votes if they could make it appear that leading Democrats opposed its extension.

entitled "Gov. Wickliffe and Slavery" in the New Orleans Bee, in which he was quoted as being opposed to the extension of slavery. 18 The chief executive, quick to see the damaging quality of such an article, immediately sent a communication to the Bee recounting the conversation with Colonel Stewart and calling attention to his qualifying remarks. He readily admitted having endorsed the speech, but, in addition, he had said that his position, like that of the Tippecanoe orator and the entire Democratic party, was in opposition to the extension of slavery by the strong arm of the Federal government.19 This letter was followed by several others written by eye witnesses who corroborated the Governor's account of the affair.20 Even Stewart, in a subsequent explanation, acknowledged that the executive had restated the discourse correctly, but he pointed out that this sentiment implied that the Governor did not favor the extension of slavery under any conditions.21

Evidently the aspersions cast by Colonel Stewart and the Know Nothing press had their effect, for the American party carried two of the four electoral districts.²²

The Governor, though, was gratified over the result of the presidential election because he considered the poll a complete settlement of the internal policy of the government. To him, the principle of non-intervention was fixed and settled for all coming time. The new administration would give "peace and quiet" to the country.23 However, as precautionary measures, Wickliffe urged the removal of free negroes from the state and the encouragement of measures designed to secure for the United States supremacy in the Gulf of Mexico.24

The first of these two, he believed, needed immediate attention. In his message to the legislature he recommended the passage of laws preventing the immigration of free negroes into Louisiana from other states. Furthermore, the necessary steps

¹⁸ New Orleans Bee, October 1, 1856. The Bee in its article said that Greeley and his "Black Republicans" endorsed doctrines no more dangerous to the South.

New Orleans Bee, quoted in New Orleans Louisiana Courier, October 7, 1856.
 B. F. Harney to R. C. Wickliffe, Baton Rouge, October 3, 1856, New Orleans Louisiana Courier, October 3, 1856; S. B. Harbour to the New Orleans Bee, Baton Rouge, October 3, 1856, ibid., October 7 1856; R. E. McHatton to Wickliffe, Baton Rouge, October 7, 1856, ibid., October 10, 1856.

³¹ R. A. Stewart to the New Orleans Bee, Oakland Plantation, October 7, 1856, New Orleans Bee, quoted in the Baton Rouge Weekly Advocate, October 11, 1856.
Orleans Bee, quoted in the Baton Rouge Weekly Advocate, Detailed and Dean reasonably large the previous

Wickliffe's majority in each of the four districts had been reasonably large the previous autumn. Baton Rouge Weekly Advocate, December 7, 1856.
 Wickliffe's Message to the General Assembly, 3-4, Louisiana Documents, 1857.

²⁴ Ibid., 15-16.

should be taken for the removal of all free negroes then in the state when it could be effected "without violation of the law."25

Whereas the legislature did not see fit to follow these recommendations to the letter, it did enact certain laws that had for their purpose the limiting of the number of free persons of color. A bill was hurried through the assembly prohibiting the further emancipation of slaves,26 another was passed encouraging free negroes to select masters and become bondsmen,27 and a third provided that incoming free persons of color should be lodged in jail until bond was furnished.28

Several other bills for the security of slavery received the Governor's signature at this time. These included provision for the return of runaway slaves,29 punishment for buying from, selling to, or giving slaves anything without the master's consent,30 and penalties for negroes convicted of committing certain crimes against masters and their families.31

The Governor was even less successful in advocating the supremacy of the United States in the Gulf of Mexico, yet he, like many others, prescribed this policy in order to maintain Democratic parity in the Senate by adding slave states carved from the countries to the south of the United States. To accomplish this, Wickliffe recommended the abrogation of the Clayton-Bulwer treaty,³² and the acquisition of Cuba, Mexico, and Central America.³³ This proposed action, though, required a well equipped militia, and Louisiana, standing as she did, exposed more than any other state in the Union, needed a greatly increased active force.34 The legislature tardily obliged with a joint resolution asking Congress to establish a navy yard at Baton Rouge,35 an appropriation of ten thousand dollars to keep up and repair war materials belonging to the state,36 and another of two thousand

²⁵ Ibid. On one of the few occasions that the Senate disagreed with the Governor, he recommended a pardon for six negro convicts on condition that they leave the state. The Senate refused to approve it on the ground that it would be unfair to the states to which the convicts might go. Baton Rouge Weekly Gazette and Comet, May 24, 1857.

²⁶ Louisiana Acts, 1857, No. 69, p. 55.

<sup>Louisiana Acts, 1857, No. 69, p. 55.
27 Ibid., 1859, No. 275, pp. 214-215; Annie L. W. Stahl, "The Free Negro in Ante-Bellum Louisiana" (M. A. Thesis, Louisiana State University, Baton Rouge, 1934).
28 Louisiana Acts, 1859, No. 87, pp. 70-72.
29 Ibid., 1857, No. 181, pp. 172-75.
30 Ibid., No. 187, pp. 183-84.
31 Ibid., No. 232, pp. 229-34.
32 For a discussion of the treaty, see John B. McMaster, History of the People of the United States from the Revolution to the Civil War, 8 vols. (New York, 1883-1913), VII, 575-76.</sup>

³³ Wickliffe's Message to the General Assembly, 13, Louisiana Documents, 1858.

Ibid., 7; 1857, p. 7.
 Louisiana Acts, 1858, No. 281, p. 195.
 Ibid., No. 169, p. 120.

to be used for the repair of the state arsenals;37 but this meager action irritated the chief executive who asked for laws compelling the formation of voluntary military companies.³⁸ The assembly was not as farsighted as the Governor, and, excepting the establishment of an arsenal at Alexandria and the decision to include military training at the State Seminary of Learning, 39 nothing of importance was done that might have made Louisiana "independent should the hour of trial come."40

In the meantime, the South had discovered that the abolitionists had not been content to accept the verdict of the electorate in the past presidential canvass as their death knell. On the contrary, their fine showing so shortly after organization fired them with a determination to capture all branches of the national government in the ensuing years. Their successes alarmed the Governor who held the Democratic party to be the sole hope of the South.41 It grieved him that Congress had not admitted Kansas into the Union under the Lecompton constitution, 42 since this action would have removed from the national arena that disturbing element.43 Embittered as he became on receipt of incendiary resolutions from two Northern states,44 he saw in the Harper's Ferry incident⁴⁵ "the mode of warfare which constantly accumulating thousands proposed to wage upon us."46 In consequence, he advised retaliation. First, to bring financial ruin to the North, the Southern states should encourage domestic industry of all kinds, 47 establish a system of licensing or special taxation "upon goods [brought from the North], when exposed for sale" in a Southern state,48 and prohibit Northern agents from coming into this section of the country and selling from samples, their goods, wares, and merchandise made elsewhere.49 Second, Virginia should be recompensed for the expenses she had incurred in the vindication of her sovereign rights. 50 Lastly, the South

³⁷ Ibid No. 211, p. 150.

Wickliffe's Message to the General Assembly, 15, Louisiana Documents, 1860.
 Louisiana Acts, 1860, No. 202, pp. 148-49; No. 98, pp. 67-69; Fleming, General W.
 T. Sherman as a College President, 19.

⁴⁰ Wickliffe's Message to the General Assembly, 15, Louisiana Documents, 1860.

⁴¹ Ibid.

 ⁴² James Ford Rhodes, History of the United States from the Compromise of 1850 to the End of the Roosevelt Administration, 9 vols. (New York, 1928), II, 233-57.
 43 Wickliffe's Message to the General Assembly, 11-13, Louisiana Documents, 1858.
 44 Official Reports of the Senate, 8-10, Louisiana Senate Journal, 1856; Opelousas Patriot,

May 1, 1858.

45 Rhodes, History of the United States, II, 339-73.

46 Wickliffe's Message to the General Assembly, 14, Louisiana Documents, 1860.

⁴⁷ Ibid., 15. 48 Ibid., 16.

⁴⁹ Ibid.

⁸⁰ Ibid., 15.

should hold a convention of slaveholding states to discuss other means of retaliation and other steps to take in the preservation of her constitutional rights.51

But Wickliffe was progressing far too fast for his legislature, and, though some attempt was made to follow his recommendations, little of importance was done until the Governor's chair had been filled by another.52

The chief magistrate watched with alarm the direction into which national politics were drifting; however, that situation was not the extent of his distress. At his very door were conditions equally as disturbing as those caused by the Northern abolitionists. These were the riotous elections characteristic of New Orleans.

In the same election that had elevated the Governor to his present position, there was such violence in the city that part of his inaugural address was devoted to a plea for a new city charter.⁵³ He deemed a remodeling of the government necessary because of complications arising from the destruction of ballot boxes in two New Orleans precincts.⁵⁴ Although the votes contained in those boxes could have had no bearing on the rest of the gubernatorial contest, they meant victory or defeat for the sheriff of Orleans, three state senators, two repesentatives, and various minor officials. Both of these precincts were known to be predominantly Democratic, yet the results calculated from the remaining precincts gave the American nominees a slight majority. If the election commissioners could be forced to make full and complete returns, the Democrats would, in turn, have a slight majority. To gain this end, John M. Bell, the Democratic candidate for sheriff, instituted judicial proceedings. At first he was favored with some success,55 but the First District Court rendered its decision in favor of his opponent, Joseph Hufty, 56 who was immediately commissioned by Governor Hebert.⁵⁷

Conventions, but he did not have faith in a meeting designed to further the commercial interests of the South that devolved into a mere conference of politicians for no constructive purpose. Baton Rouge Weekly Advocate, November 25, 1856; Aprli 24, May 1, 1859; Clinton, Louisiana, Feliciana Democrat, Aprli 24, 1858.

52 Resolutions were introduced in both houses for the purpose of appointing delegates to proposed Southern conventions but none carried while he was governor. New Orleans Daily Picayune, January 27, 29, 1860.

53 Baton Rouge Weekly Advocate, February 16, 1856.

54 Probably the best complete treatment of this election and the subsequent contests may be found in Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1933), 275-76, 409-10.

<sup>275-76, 409-10.

55</sup> New Orleans Daily Crescent, November 14, 1855.

⁵⁶ Ibid., December 17, 1855. 57 Ibid., January 1, 1856.

When the new sheriff of Orleans entered upon his duties, the Democrats throughout the state were convinced that he was holding office contrary to law, and consequently, being in the majority in both houses of the legislature, they addressed him out of office.⁵⁸ Governor Wickliffe immediately appointed John M. Bell his successor, 50 but Hufty refused to relinquish his office until the district court on and the supreme court rendered decisions in favor of Bell.

In the meantime three American senators and two American representatives had been unseated by the legislature and replaced by the Democrats who were contesting their seats on the basis of the destroyed ballot boxes. 62

The Governor was determined that such happenings should not recur, so he offered a reward of one thousand dollars "for the apprehension of persons who were engaged in breaking ballot boxes."63 In addition, he secured the passage of a registry law64 and a new city charter,65 but all seemed to no avail when on the night of June 2, the polls closed on a mayoralty election with two murders, "several others suspected," six men "gravely wounded," and "many persons, including policemen," badly beaten.66

The city officials elected in this turbulent way were readily commissioned by Wickliffe,67 but he was not content until further measures were taken to prevent the "true will of the majority from being totally silenced."68 The assembly co-operated by passing a new election bill for New Orleans. First, it located voting places. Second, it set penalties for preventing, or attempting to prevent, any voter from voting, assembling for the purpose of driving people from the polls, and destroying ballot boxes. Third, it provided for a Board of Commissioners and a Superintendent of Elections. The former, composed of the mayor, register of voters, attorney general of the state, and two citizens of New Orleans appointed by the governor, was empowered to

⁵⁸ Louisiana Acts, 1856, No. 16, pp. 13-14.

⁵⁰ Executive Journal of the Senate, 7, Louisiana Senate Journal, 1856.
60 New Orleans Louisiana Courier, March 21, 1856.
61 John M. Bell v. Joseph Hufty, 11 La. Ann. 303.
62 New Orleans Daily Crescent, January 29, 1856; Baton Rouge Weekly Advocate, February 23, 1856.

⁶³ Opelousas Courier, March 15, 1856.

Openousas Courter, March 15, 1856.
 Louisiana Acts, 1856, No. 163, pp. 131-36. It provided for a register appointed by the governor to register all voters to prevent illegal voting.
 Ibid., No. 164, pp. 136-67.
 John S. Kendall, "The Municipal Elections of 1858," in Louisiana Historical Quarterly,

V (1922), 361.

New Orleans Daily Crescent, June 12, 1856.
 Wickliffe's Message to the General Assembly, 16-18, Louisiana Documents, 1857.

appoint all election commissioners; while the latter, also appointed by the governor, were to have complete and absolute power over all matters pertaining to the elections. 69

Now, surely there could be no violence at future elections! Again the executive and the citizens were doomed to disappointment. To begin with, Mayor Charles Waterman refused to serve on the board as the law directed, 70 and only after three others had refused the appointment, did Judge John B. Cotton accept the position as superintendent.⁷¹ Matters were further complicated when the Mayor secured an injunction to prevent the election law from being put into operation.72 With an election approaching for minor state officers, the Board of Commissioners precipitated matters by obtaining a counter injunction to prevent the Mayor and Council from appointing election officials and conducting an election.73 The city was in a dilemma; under these conditions no election could be held there. The American Mayor, nevertheless, knew that the candidates for state offices representing his party stood no chance of being elected without the city vote so he lifted the injunction a short time before the scheduled election.74

The new law went into operation and to the surprise of everyone election day passed without disorder.75 This peace and quiet, to a disinterested observer, may have meant that the solution to the city's evils had been found at last, but, to one versed in Louisiana politics, it was the lull before the storm. As evidence of the failure of the election law, both Wickliffe and Judge Cotton recommended its repeal,76 but before the advice of these two gentlemen was followed, a condition approaching anarchy overshadowed the metropolis of the state.

June, 1858, was again time for municipal elections. candidates for every position were in the field. Gerard Stith headed the American ticket77 while P. G. T. Beauregard was

⁶⁹ Louisiana Acts, 1857, No. 289, pp. 275-81. Much opposition was voiced in the New Orleans papers to this "Army bill" as they called it. New Orleans Daily Crescent, February 26, 1857; New Orleans Daily Picayune, New Orleans Bee, and New Orleans Daily Delta, quoted in ibid., February 27, 1857.

70 New Orleans Daily Crescent, May 25, June 1, 1857.

71 Wickliffe's Message to the General Assembly, 9, Louisiana Documents, 1858.

72 New Orleans Daily Crescent, July 22, 1859.

⁷³ Ibid., October 8, 1857.
74 Ibid., October 17, 1857.
75 Ibid., November 3, 1857; New Orleans Daily Picayune, November 2, 1857. Vickliffe's Message to the General Assembly, 9, Louisiana Documents, 1858; New Orleans Daily Crescent, February 1, 1858.
 New Orleans Daily Crescent, May 25, 1858.

nominated to lead an independent group.⁷⁸ Several days before the election the city became the scene of numerous outrages, being divided into two armed camps. 79 One, under a pretext of securing law and order for the city during the day of balloting, seized Jackson Square⁸⁰ and forced the mayor to appoint the entire force special deputies and police.81 The other, composed mainly of American supporters, occupied Lafayette Square,82 caused the impeachment of the mayor,83 and prepared for attack. Aroused citizens telegraphed the Governor84 who sent troops to the city,85 but the election passed without serious altercation of any kind.86 When the votes were counted, the supremacy of the American party in New Orleans was assured for the next two years.87

After such harrowing experiences, it is not surprising that the people of that city conducted their elections in 1859 "with a quiet and order seldom witnessed."88 For this, the New Orleans Daily Picayune paid tribute to the mayor, Judge Cotton, and the citizens of New Orleans, 89 but that great and just paper overlooked giving some credit to one whose untiring efforts had been constantly directed to this end-Robert C. Wickliffe.

CHAPTER V

GOVERNOR, 1856-1860 (CONTINUED)

Although national and city disturbances probably held the center of attention in political circles, there were other matters to which the Governor attached a like importance. Touching more closely the lives of the people was his interest in internal improvements. In his inaugural, Wickliffe stated his sentiment in unmistakable terms:

Bountiful as nature has been to Louisiana, the skill of the engineer is still essential to her full development. With twenty-five millions of acres of fertile lands, hardly a tenth is in cultivation; with a sea-coast a third in length of the State, we have a tonnage almost in its infancy. With a capacity to

 ⁷⁸ Ibid., May 26, 1858.
 79 Kendall, "The Municipal Elections of 1858," loc. cit., 357-76; Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1933), 608-627; Fortier, History of Louisiana. the American Party in Louisiana," loc. cit., XVI (1933), 608-627; Fortier, History of Louisiana, III, 256.

80 New Orleans Daily Delta, June 3, 1858; New Orleans Daily Crescent, June 4, 1858.

81 Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1933), 616.

82 New Orleans Daily Delta, June 5, 1858.

83 Ibid., June 6, 1858.

84 Plaquemine, Louisiana, Gazette and Sentinel, June 5, 1858.

85 New Orleans Daily Crescent, June 14, 1858.

86 New Orleans Daily Crescent, June 14, 1858.

87 New Orleans Daily Crescent, Bune 8, 1858.

88 New Orleans Daily Crescent, June 8, 1858.

88 New Orleans Daily Crescent, June 8, 1858.

88 New Orleans Daily Crescent, June 9, 1859.

89 Ibid.

produce all the cotton needed for the British Empire, and all the sugar required for this great Confederacy, we are as yet laggards in their growth. With thousands of miles of natural canals our productions frequently can find no market, and North and South Louisiana are strangers to each other.

Toward the cultivation of these millions of acres, toward the improvement of these miles of navigation, toward cementing together these sections, discreet and timely legislation can do much.1

In his estimation little had been accomplished previously in spite of the existence of an internal improvements fund,² a Board of Swamp Land Commissioners,3 and a state engineer.4 The fund had existed for years and large amounts had been expended, "yet it would have been difficult for even a curious inquirer to discover any benefit that [had] resulted from it."5

The Board, created in 1853,6 was in complete charge of all works that had for their purpose the reclamation of swamp and overflowed lands. It was composed of four commissioners appointed by the governor and each had under his direction all public works within the district. The state turned over large sums of money to these men who in turn contracted for special projects. During the two years previous to Wickliffe's elevation to the governor's chair, the commission had spent nearly double the amount collected from the sale of reclaimed lands.8 The executive could see no good reason for this, but he hinted what the trouble might be when he said, "We should be rigid into the scrutiny of their management and exacting in the restrictions we require for their honest administration."9

While the legislature was reluctant to embark extensively on a program of internal improvements, the commissioners took the hint dropped by the chief magistrate, and it was with pride that Governor Wickliffe, in 1857, reported that there was a surplus of \$400,000 in the internal improvements fund.10

¹ Baton Rouge Weekly Advocate, February 2, 1856.

² Louisiana Acts, 1855, No. 342, pp. 487-89.

³ Ibid., 1853, No. 328, pp. 289-93.

⁴ Ibid., 1855, No. 342, pp. 487-89. For an early history of internal improvements see Johann C. L. Andreassen, "Internal Improvements in Louisiana, 1824-1837" (M. A. Thesis, Louisiana State University, Baton Rouge, 1935).

⁵ Baton Rouge Weekly Advocate, February 2, 1856.

⁶ Louisiana Acts, 1853, No. 328, pp. 289-93.

⁷ As the Board was reorganized in 1854, it consisted of four commissioners instead of three. Louisiana Acts, 1854, No. 133, pp. 93-98.

⁸ Special Report of the Auditor of Public Accounts in Relation to Swamp and Overflowed Lands, to the Legislature of the State of Louisiana, 3-8, Louisiana Documents, 1860.

⁹ Baton Rouge Weekly Advocate, February 2, 1856.

Baton Rouge Weekly Advocate, February 2, 1856. 10 Wickliffe's Message to the General Assembly, 5, Louisiana Documents, 1857.

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The work of the commission, encouraged by several acts that had for their purpose the placing of cheap land on the market,¹¹ progressed nicely despite a financial depression,¹² a flood,¹³ and a trying dispute between state officials.¹⁴

The last proved very distressing as funds of the commission were involved. Growing out of an act of the assembly that required the Swamp Land Commissioners to turn over their unexpended balances to the treasurer and furnish bond before resuming the duties of their offices, 15 the disagreement entangled state officers when it became the duty of the treasurer upon receipt of warrants from the auditor to pay contracts for work done in reclaiming swamp and overflowed lands. Specifically, the difficulty arose when E. B. Towne, commissioner of the Fourth Swamp Land District, presented to the treasurer for payment certain warrants signed by the auditor, E. W. Robertson.¹⁶ The treasurer, R. A. Hunter, in order to ascertain if the commissioner had complied with the new law, communicated with the Governor who answered in an evasive manner. Misinterpreting the reply, Hunter refused payment and the matter was taken to the courts along with several related disputes before Wickliffe had had time to prove to that official conclusively the fact that Towne had furnished bond. This litigation tied up the Swamp Land Funds, much to the embarrassment of the chief executive who had taken the matter lightly, thinking that the treasurer would not dare to refuse payment. As it developed, the Governor, unwittingly, was instrumental in delaying much public work owing to the fact that it was not until April, 1859, that the funds were released. At that time the court rendered its decision against Hunter and directed him to pay the warrants.17

The unfavorable publicity occasioned by this unfortunate difficulty did much to make the legislature yield to the public demand that a Board of Public Works be created to supersede and replace

¹¹ Louisiana Acts, 1857, No. 193, pp. 188-89; No. 195, pp. 190-91.

¹² New Orleans Price-Current, October 17, 1857.

¹³ New Orleans Daily Crescent, April 12, 1858; Baton Rouge Gazette and Comet, April 13, 1858; Plaquemine Gazette and Sentinel, April 17, 1858; Baton Rouge Daily Advocate, July 15, 1858.

¹⁴ New Orleans Daily Crescent, January 19, 1859.

¹⁵ Louisiana Acts, 1858, No. 294, p. 210.

¹⁶ Auditor's Report, Baton Rouge Weekly Advocate, February 27, 1859; Treasurer's Report, ibid., January 30, 1859; Report of the Special Committee to the Senate, ibid., March 20, 1859.

¹⁷ Peter Homerick v. R. A. Hunter, State Treasurer, 14 La. Ann. 225.

both the Board of Swamp Land Commissioners and the Internal Improvements Department.18

The enthusiasm which the administration showed for general improvements extended to railway building at a time when the industry needed rather badly a helping hand. When the Governor assumed the duties of his office, the New Orleans, Jackson and Great Northern Railroad was completed for a distance of 116 miles, the New Orleans, Opelousas and Great Western was completed almost to Berwick Bay, while the Vicksburg, Shreveport and Texas Railroad Company was "making considerable progress."19 Due in some measure to the Governor's continued exhortations, the legislature aided the railroads in numerous ways. It legalized the issuance of railroad bonds secured by mortgage upon their property,20 and authorized one road to operate a ferry and build a bridge.21 In addition, several new companies were incorporated,22 Congressional grants of land for railroads were accepted,23 and stock subscription by the state was authorized for one road to the extent of one-fifth of the capital stock.24

Governor Wickliffe, in his eagerness to aid the railroads and direct their policy, became involved in a dispute concerning the right of the governor to vote the shares of stock owned by the state in the various companies. In all the big companies the state owned a large percentage of the stock,25 yet the number of directors that the governor of Louisiana might appoint was limited to three, while the Mississippi governor, whose state also owned stock in the New Orleans, Jackson and Great Northern Company, was not so limited.26 There was no just reason for this discrimination; consequently, Wickliffe urged and obtained the passage of a law to give him equal powers with the chief executive of his neighboring state.27 The bill, however, was worded in such a manner that it would become binding when a majority of the stockholders ratified it. To the mortification of the Governor, the Mayor of

¹⁸ Louisiana Acts, 1859, No. 279, pp. 229-33. The state of Louisiana operated under a dual system prior to this act because the Internal Improvements Department was organized under a state engineer whose duty it was to make streams navigable and prevent overflows. Ibid., 1855, No. 342, pp. 487-89.

19 Wickliffe's Message to the General Assembly, 10-11, Louisiana Documents, 1857; James Robb to Wickliffe, New Orleans, February 11, 1856, New Orleans Daily Orescent, March 10, 1856.

20 Louisiana Acts, 1856, No. 194, pp. 205-206.

21 Ibid., No. 95, pp. 70-71; No. 86, pp. 63-64.

22 Ibid., No. 168, pp. 171-76; 1857, No. 133, pp. 119-22; No. 230, pp. 220-28.

23 Ibid., No. 98, pp. 76-78; No. 135, pp. 124-26.

24 Ibid., No. 134, pp. 123-24.

25 Wickliffe's Message to the General Assembly, 8-9, Louisiana Documents, 1858.

26 Louisiana Acts, 1853, No. 231, pp. 195-96.

²⁶ Louisiana Acts, 1853, No. 231, pp. 195-96. ²⁷ Ibid., 1858, No. 275, p. 192.

New Orleans voted with the Governor of Mississippi to defeat the law.28 Not satisfied with this disposal of the matter, Wickliffe, in his next annual message, called attention to the unsatisfactory condition of affairs.29 His persistence brought favorable comment in that assembly 30 and success in the next. 31

By 1860, in spite of floods, depression, and minor difficulties, most of the railway lines had made some progress. The New Orleans, Jackson and Great Northern Company had completed its tract to Canton, Mississippi, a distance of 206 miles.³² Trains were running daily between that point and New Orleans,33 and the company, though temporarily distressed by rising unfriendly sentiment in the nearby state of Mississippi,34 intended to complete the line to the Tennessee River. 35 Wickliffe viewed this road as a great stem from which other roads would branch to make connections with every part of the country. In the southern part of the state, the New Orleans, Opelousas and Great Western had not progressed much in actual miles of roadway constructed but trains were running daily between New Orleans and Berwick where steamship connections were made for Galveston.³⁶ However, much of the line west of Berwick Bay was already under contract and soon this completed line would reach the Sabine River where it would connect with the Texas railroads.37 The third great line, the Vicksburg, Shreveport and Texas Railroad, had experienced difficulties in finance that the others had not had to meet, 38 so by 1860 only twenty miles were completed, in addition to a bridge across the Tensas River, but the remainder of the road was under contract and the time was not far distant when the line would reach the Texas border.³⁹ Another road had made great progress during this time through vigorous and efficient management. This was the Baton Rouge, Grosse Tête and Opelousas Railroad which, in

²⁸ New Orleans Daily Crescent, April 12, 1858.

²⁹ Ibid., January 19, 1859.

³⁰ Louisiana House Journal, 1859, pp. 78-80.

Louisiana Acts, 1860, No. 244, p. 186.
 Wickliffe's Message to the General Assembly, 5, Louisiana Documents, 1860.
 Annual Report of the New Orleans, Jackson and Great Northern Railroad, 3-10, Louisiana Documents, 1860.

failure to complete its line on schedule through that section, so there was a movement to refuse to allow an extension of the company's franchise when the existing one would expire. Wickliffe realized the fatality of the movement, so he urged the Louisiana legislature to petition that of Mississippi for an extension of time for the railroad. The joint resolution asking an extension to 1870 was the last official act signed by Wickliffe as governor. Louisiana Acts, 1860, No. 8, pp. 9-10.

³⁵ Wickliffe's Message to the General Assembly, 5, Louisiana Documents, 1860.

³⁶ Ibid., 6-7.

³⁷ Ibid.; New Orleans Daily Picayune, November 2, 1859.

³⁸ This line had received no aid in the form of private and city corporate subscriptions. Wickliffe's Message to General Assembly, 7, Louisiana Documents, 1860.

addition to having completed its main line to Grosse Tête, was already planning an extension to Opelousas and ultimately to Alexandria.40

During much of the period, railroad building, then in its infancy in the state, was beset with difficulties of every description, and it is extremely doubtful if most of these great railroads would have been able to hurdle successfully the temporary obstacle but for the friendly attitude of Wickliffe and his legislature.

But it was in the field of advanced education that the former Kentuckian really carved for himself a niche in Louisiana's hall of fame, for it was during his administration that the doors of the State Seminary of Learning were opened to the Public. 41

When he became the chief executive of the state the initial steps had previously been taken to establish the institution. Already the site was selected⁴² and money made available for the buildings.43 However, construction was delayed until shortly after the inauguration,44 and when defective workmanship resulted in drastic changes in construction, there was further delay;45 consequently, it was not until the latter part of 1859 that these buildings were accepted by the state.46

In the meantime the necessary steps were taken to effect a permanent organization to administer the affairs of the Seminary. In accordance with a legislative act⁴⁷ the Governor appointed as members of a Board of Supervisors twelve citizens to serve with the state superintendent and himself.⁴⁸ On September 20, 1858, the board met for purposes of organization, 49 but it was in subsequent meetings that the policy of the new institution was definitely fixed. During the following year the board received the buildings,50 planned a curriculum,51 determined the nature of the institution,⁵² and took the necessary steps to select a faculty.

⁴⁰ Ibid.; Report of the Baton Rouge, Grosse Tête and Opelousas Railroad Company, 3-6, ibid.; James D. B. DeBow (ed.), DeBow's Review and Industrial Resources, Statistics.

(New Orleans, 1846-1880), XXVI (1859), 593.

41 Walter L. Fleming, Louisiana State University, 1860-1896 (Baton Rouge, 1936), 40.

42 Ibid., 23, Alexandria had been selected probably because of the ease of access by water and "the well-known character [that] the pine woods bore for salubrity." Edwin Whitfield Fay, History of Education in Louisiana (Washington, 1898), 73.

43 Fleming, Louisiana State University, 21-22.

44 Ibid., 25.

45 Ibid., 26.

46 November 28, 1859. Ibid.

47 Louisiana Acts. 1858. No. 228, p. 159.

⁴⁸ November 28, 1859. Ibid.
47 Louisiana Acts, 1858, No. 228, p. 159.
48 The first board consisted of Dr. S. A. Smith, Thomas O. Moore, G. Mason Graham,
Walter O. Winn, Dr. K. M. Clark, J. A. Bynum, M. Ryan, Henry Gray, Judge J. G. Campbell, R. W. Jennison, Dr. Joseph Hawkins, and Judge Ed. Barry. Baton Rouge Daily
Advocate, July 27, 1858.
49 Governor's Message to the General Assembly, New Orleans Daily Crescent, January

<sup>19, 1859.

50</sup> Meming, Louisiana State University, 26.

51 Fleming, General W. T. Sherman as College President, 19.

52 Ibid.

To secure the best possible man for superintendent of the Seminary, Wickliffe advertised for applicants.⁵³ One of these advertisements was sent by G. Mason Graham, a member of the Board of Supervisors, to Don Carlos Buell, assistant adjutant general of the United States army at Washington.⁵⁴ Immediately Buell sent the circular to William Tecumseh Sherman,55 who lost no time in applying to the governor of Louisiana for the position.⁵⁶

Largely through the influence of Graham, 57 Sherman was selected over many applicants at the August meeting of the Board of Supervisors.⁵⁸ In due time Wickliffe notified the new superintendent of the appointment⁵⁹ and the latter proceeded to Baton Rouge. 60 When, after several delays, 61 Sherman went into conference with the Governor, he was told by that official that since the cares of his gubernatorial duties engrossed most of his time, that it would be far better to go at once to Alexandria in order to inspect the buildings, meet the Supervisors, and complete plans for the opening.62

A short time later, Wickliffe, co-operating with the superintendent of the Seminary, issued an official circular announcing January 1, 1860, as the opening date. 63 On the day following the announced date, the State Seminary of Learning opened its doors to the public for its first session.64

In Wickliffe's last annual message he praised highly the new institution and recommended an appropriation of \$25,000 to insure its permanency, but the legislature was not so generous, for it considered \$20,000 ample.65

Indeed, the Governor was partial to higher education, for an acknowledged poor system of public schools was allowed to con-

⁵³ Ibid., 19-20.

Stafford, "Autobiography of George Mason Graham," in Louisiana Historical Quarterly, XX (1937), 55; William T. Sherman, Memoirs of William T. Sherman, 2 vols. (New York, 1875), I, 142-43.
 Sherman, Memoirs, I, 142-43.
 Sherman to Wickliffe, n. p., n. d., in Fleming, General W. T. Sherman as College President 26.

⁵⁶ Sherman to Wickinie, R. P., R. B. Mason who was Sherman's commanding general dent, 26.
57 Graham was half-brother of R. B. Mason who was Sherman's commanding general in California. Sherman, Memoirs, I, 143.
58 Besides Sherman the faculty selected included: Antony Vallas, Francis W. Smith, E. Berte St. Ange, D. F. Boyd. Baton Rouge Weekly Advocate, August 14, 1859.
59 Wickliffe to Sherman, Baton Rouge, August 5, 1859, in Fleming, General W. T. Sherman as College President, 29.
50 This. 55: Sherman, Memoirs, I, 143-44.

 ⁶⁰ Ibid., 55; Sherman, Memoirs, I, 143-44.
 61 Sherman to Mrs. Sherman, Baton Rouge, November 6, 1859, in Fleming, General W.
 T. Sherman as College President, 45.

⁶² Ibid., 55.

⁶³ Sherman, Memoirs, I, 146.

 ⁶⁴ Fleming, Louisiana State University, 40.
 65 Wickliffe's Message to the General Assembly, 9, Louisiana Documents, 1860; Louisiana Acts, 1860, No. 98, pp. 67-69.

tinue throughout his administration. Though he readily admitted the system was defective,66 at first he neither offered a remedy nor urged specific legislation to correct the existing evils. Yearly the state superintendent reported that reform or reorganization was necessary for "the results [were] not at all commensurate with the vast amount of funds annually appropriated,"67 but excepting a passing reference in each annual address, the Governor did nothing and the legislature followed his example.

The system was in no way satisfactory outside of New Orleans, 68 and according to the state superintendent it was little better than no system at all. Constructive supervision was impossible, competent teachers could not be obtained, finances were not within rigid control, and the school buildings provided were often unfit for use.69

The chief difficulty lay in the very structure that Wickliffe had been instrumental in inaugurating while he served in the senate. Many of the evils arose from the treasurers that had succeeded the parish superintendents. These officials whose duty it was to collect and disburse school money, were required to furnish bond for money received from the state but not for that received from the sale of school lands. Often the latter was very large, creating a situation liable to great abuse. Then, many of these treasurers were illiterate, having been selected mainly because they could give bond, while many were merchants and traders who used the funds for business purposes.72

Despite overwhelming evidence of needed reform and a vigorous campaign on the part of the press,73 only a few half-hearted attempts were made to better conditions,74 so by the end of Wickliffe's term in the governor's chair, there was actually a lower per-

67 Report of the Superintendent of Education, Baton Rouge Weekly Advocate, February 2, 1856.

Ibid.

72 Report of the Superintendent of Education, Baton Rouge Weekly Advocate, February

No. 268, p. 210.

⁶⁶ Wickliffe's Message to the General Assembly, 5, Louisiana Documents, 1857; Wickliffe's Message to the General Assembly, 6, Louisiana Documents, 1858; Wickliffe's Message to the General Assembly, 9, Louisiana Documents, 1860.

<sup>2, 1856.

68 &</sup>quot;New Orleans excepted, the condition of the Free Public Schools throughout the State is very unsatisfactory." Ibid.

69 Report of the Superintendent of Education, Baton Rouge Daily Gazette and Comet, January 22, 1858.

70 Louisiana Senate Journal, 1852, pp. 153, 193.

71 Wickliffe had introduced the bill which abolished the office of parish superintendent.

⁷⁸ Baton Rouge Daily Gazette and Comet, January 27, 1857; January 22, 1858; New Orleans Daily Crescent, March 10, 1857; New Orleans Daily Picayuns, January 22, 1858; December 9, 1859; Baton Rouge Weekly Advocate, March 6, 1859.

⁷⁴ Louisiana Acts, 1857, No. 200, pp. 195-96; 1859, No. 26, pp. 23-24; No. 33, p. 27;

centage of educable children in school than there were ten years previous.75 These facts could not be ignored forever, so the Governor joined the state superintendent in advising a complete remodeling of the system. 76 They recommended enlargement of the duties of state superintendent, recreating of the office of parish superintendent, and that provision be made for a "comfortable and sufficiently spacious school house" in each district.77 That legislature, though, was not sympathetic, for the only action taken was the enactment of a law increasing the annual appropriation.⁷⁸

Just as Wickliffe readily admitted that his system of education was defective after convincing evidence had been produced, he early acknowledged the merits of the banking system which he had strenuously opposed while a state senator. 79 Soon after his inauguration he marveled at the soundness of the banks and currency, considering Louisiana's system a model that the other states might do well to imitate.80

The Governor, though, in a short while had good reason to doubt that statement, for during the latter part of 1857 the whole financial structure of the state, as well as the entire nation, was brought to the brink of ruin. Difficulties began with business crashes in New York which in turn precipitated a run on that city's banks on October 13.81 Those institutions found it necessary to suspend immediately all specie payments.82 The news spread like wildfire and the next day it reached New Orleans.83 In alarm the chartered banks⁸⁴ refused the notes of the free banks⁸⁵ and a run on the latter followed. 86 resulting in a partial closing of three free banks. 87 Alarm became general when the Citizens' Bank, a

 ⁷⁵ Fay, History of Education in Louisiana, 70.
 76 Wickliffe's Message to the General Assembly, 9, Louisiana Documents, 1860; Report of the Superintendent of Public Education, 3-11, ibid. 77 Report of the Superintendent of Public Education, 3-11, Louisiana Documents, 1860.

⁷⁸ Louisiana Acts, 1860, No. 245, pp. 186-91.

⁷⁹ Louisiana Senate Journal, 1853, pp. 122, 168.

80 Wickliffe's Message to the General Assembly, 9, Louisiana Documents, 1857. In commenting upon the message an opposition paper stated, "The Governor has shown very creditable candor, magnanimity, and justice, to proclaim that these old Whig concerns, the Banks of the city, are in an unexampled sound and prosperous condition." Baton Rouge Daily Gazette and Comet, January 27, 1857.

⁸¹ New Orleans Price-Current, October 17, 1857; New Orleans Daily Picayune, January 1, 1858; Wickliffe's Message to the General Assembly, 9-10, Louisiana Documents, 1858; DeBow's Review, XXIV (1858), 182-86, 265.

⁸² New Orleans Daily Picayune, January 1, 1858.
83 Gayarré, History of Louisiana, IV, 685; Wickliffe's Message to the General Assembly,
10, Louisiana Documents, 1858.
84 These banks existed by virtue of special charters: Citizens', Canal, Louisiana State,
and Bank of Louisiana. New Orleans Daily Picayune, November 6, 1857.

⁸⁵ These were organized under the general banking laws: Bank of Mechanics' and Traders', Union, Southern, and Bank of James Robb. Ibid.
86 New Orleans Price-Current, October 17, 1857. Bank of New Orleans,

⁸⁷ New Orleans Daily Picayune, January 1, 1858.

chartered institution, suspended payment of depositors,88 for that bank was the fiscal agent for the state of Louisiana and the city of New Orleans, 89

In desperation, the business interests prevailed upon the Governor to lend his assistance. 90 Without delay, he arrived in New Orleans⁹¹ where he opened negotiations without the Board of Currency and the sound institutions for the purpose of supplying aid to the Citizens' Bank.92 At first he had no success, but his continued efforts brought results when an agreement was reached whereby financial assistance would be given to the crippled member.93 Consequently, on November 6, the Citizens' Bank resumed payments.94 That affected business and public confidence so favorably 55 that by the middle of the same month the ailing free banks were again in operation upon a firm footing.96

The depression would undoubtedly have been much more severe in Louisiana but for the prompt action of the Governor. However, he was not content merely with reinstating the banks that had suspended, for he recommended additional safeguards for the banking system. He openly blamed the Board of Currency for the distressing effects of the panic in Louisiana, for the coin as shown in the monthly reports of the Board differed from the real coin in the vault during the months just previous to the crash.97 Following his suggestion the leglislature provided the Board with a secretary appointed by the governor and required the banks to make weekly statements to the Board of Currency.99

Of the numerous minor problems with which the Governor contended, only a few need be mentioned such as the penitentiary, vigilance in the Attakapas country, and the election in the Third Congressional District. The first was inherited from his predecessor in office, for that official had persistently vetoed a bill to re-lease the penitentiary, 100 and when the legislature adjourned

⁸⁸ Ibid., November 6, 1857.

New Orleans Louisiana Courier, February 25, 1858.
 New Orleans Daily Crescent, October 26, 1857.

⁹¹ Ibid., October 17, 1857.

92 New Orleans Louisiana Courier, December 6, 1857; Wickliffe's Message to the General Assembly, 10, Louisiana Documents, 1858.

93 New Orleans Louisiana Courier, December 6, 1857.

94 Ibid.

Did.; New Orleans Price-Current, November 7, 1857.
 Wickliffe's Message to the General Assembly, 10, Louisiana Documents, 1858; New Orleans Daily Picayune, November 10, 18, 1857; New Orleans Louisiana Courier, February

Wickliffe's Message to the General Assembly, 10, Louisiana Documents, 1858.
 Louisiana Acts, 1858, No. 288, pp. 200-201.
 Ibid., 1858, No. 278, pp. 228-29.
 New Orleans Daily Delta, May 2, 1855.

in 1856, Wickliffe was left with the institution on his hands with no provision for its upkeep. 101 Realizing that an extra session of the legislature would entail much needless expense, 102 he took the necessary steps to borrow sufficient funds and induced J. M. Hart and W. S. Pike to accept the agency. 103 This done, he was temporarily relieved of the encumbrance, but fire soon destroyed the factory and several adjoining buildings, 104 so again he was forced to borrow on his own initiative in preference to convening the legislature. 105 By strictest economy the factory was rebuilt and managed so that the penitentiary was in fine financial condition when transferred to the new lessees on April 1, 1857. 106

Toward the close of Wickliffe's term there arose a serious difficulty in Southwestern Louisiana. 107 In this region were people of various classes. Many were Acadians who were strangers to American customs and laws; many were criminally inclined and had no desire to understand and obey the laws; and many had brought from abroad socialistic and anarchistic ideas. The country was sparsely settled and the seats of justice in many cases far removed from the people. Consequently, there was utter disregard for law and order among these classes.

However, a majority of the people were "peaceable and law abiding citizens" who were anxious to follow their agricultural pursuits unmolested. This class, it was, that organized to deal swift justice to the lawless who were engaged in burning houses, robbing stores, and stealing cattle. These so-called vigilants began organizing early in 1859 and soon they had formidable organizations which administered punishment by banishment or with the lash and rope. 108

In view of the fact that these citizens were illegally banded together, the Governor denounced them in a proclamation with uncompromising terms, urging them to disband and calling upon all good citizens to lend assistance in procuring the arrest and punishment of the members. The proclamation, though, en-

 ¹⁰¹ New Orleans Daily Crescent, March 21, 1856; Wickliffe's Message to the General Assembly, 8, Louisiana Documents, 1857.
 102 Wickliffe's Message to the General Assembly, 8, Louisiana Documents, 1857.

¹⁰³ Ibid.; Baton Rouge Weekly Morning Comet, June 8, 1856.
104 Baton Rouge Weekly Morning Comet, June 8, 1856.
105 Wickliffe's Message to the General Assembly, 8, Louisiana Documents, 1857.
106 Louisiana Acts, 1857, No. 130, pp. 111-14; Baton Rouge Daily Gazette and Comet,

April 2, 1857.

April 2, 1857.

The best single account of this movement is Harry L. Griffin, "The Vigilance Committees of the Attakapas Country; or Early Louisiana Justice," in *Proceedings* of the Mississippi Valley Historical Association, VIII (1914-1915), 146-59.

108 Ibid., Opelousas Courier, September 10, October 18, 1859.

couraged the lawless to increase their depredations, 109 and the vigilants were quick to retaliate. Virtual anarchy reigned in the district as a miniature battle was fought near the boundary of Lafayette and St. Landry parishes. 110

Open contempt for the law could not be ignored by the chief executive, so he left for the Attakapas country "to lend his presence and authority to the suppression of the anarchy that reign [ed]."111 Stopping first at Opelousas112 and then at Vermillionville, 113 the Governor had interviews with the leaders who faithfully promised no further violence. Wickliffe then returned to the capital satisfied,114 but minor difficulties between the two groups continued intermittently for many months. 115.

The election for Congress in the third district, however, was the most far reaching of the minor problems, for it marked a division of Democrats that continued until after the momentous national election of 1860. In this part of the state Wickliffe was known to favor A. S. Herron for the Congressional nomination, 116 but John Slidell, the acknowledged leader of the party, urged the candidacy of T. G. Davidson. 117 Being a past master in the art of political trickery, Slidell contrived to rule out voting by proxy in the convention, for it was suspected that with the proxy votes Herron would be the nominee.118 Wholesale withdrawals from the convention followed,119 and the remaining delegates named Davidson as expected. 120 The administration used its influence to have L. J. Sigur named by a rival convention of Democrats.¹²¹ The election proved a success for the Slidell nominee, 122 and it stamped Wickliffe as an anti-Slidell Democrat independent of political dictation from any clique or ring. 123

As the Kentuckian's administration came to a close following a rather listless campaign in which the American party was not

¹⁰⁹ Opelousas Courier, July 2, October 8, 1859; Baton Rouge Weekly Advocate, September

 ^{1859.} Griffin, "The Vigilance Committees of the Attakapas Country; or Early Louisiana Justice," loc. cit., 159; Opelousas Courier, September 10, October 8, 1858; Lafayette, Louisiana, Echo, quoted in ibid., October 22, 1859.
 Baton Rouge Advocate, September 15, 1859, quoted in Opelousas Courier, September

^{24, 1859}

¹¹² Opelousas Courier, September 24, 1859.
113 Baton Rouge Weekly Advocate, October 2, 1859.
114 Ibid.

¹¹⁴ Ibid.
115 Opelousas Courier, October 29, 1859; January 21, February 18, 1860.
116 New Orleans Daily Crescent, June 18, 1857.
117 Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1933), 613.
118 Clinton Feliciana Democrat, September 19, 1857.
119 Ibid.
120 New Orleans Daily Crescent, July 20, 1857.
121 Ibid., September 3, 1857.
122 Overdyke, "History of the American Party in Louisiana," loc. cit., XVI (1933), 617.
123 New Orleans Daily Crescent, December 2, 1857.

a significant factor,¹²⁴ Governor Wickliffe reviewed his term with pride. During the past four years the dangerous American party had been completely crushed, Louisiana's position on slavery and state rights had been clearly enunciated, peace and order had been restored to New Orleans, numerous improvements in transportation had been completed, many square miles of rich farming lands had been added to that under cultivation, the State Seminary had been opened to the public, the financial system had been tried and found basically sound, order had been largely restored in the Southwestern parishes, and the Governor's independence of Slidell had been asserted. Excepting the wretched public school system, which was probably Wickliffe's greatest blunder, the only other disturbances were those over which he had no control; namely, floods, yellow fever epidemics, ¹²⁵ financial panic, explosion of the *Princess*, ¹²⁶ and the disaster at Last Island. ¹²⁷

Few governors have had so much for which to congratulate themselves, and it was with mingled joy and sadness that Wickliffe relinquished his office to the new executive, Thomas O. Moore, of Rapides.¹²⁸

CHAPTER V

A MINORITY PARTY LEADER

Relieved of the encumbrances attached to political office, Wickliffe turned his attention to the practice of his profession¹ and the forthcoming national campaign.

The latter found the Democrats in an uncompromising position. An open break in their ranks had resulted from the Third District Congressional contest² and Pierre Soulé lost no time in

¹²⁴ Baton Rouge Weekly Advocate, October 23, 1859; Mary Lilla McLure, "The Elections of 1860," in Louisiana Historical Quarterly, IX (1926), 600-702.

¹²⁵ Baton Rouge Daily Advocate, August 25, September 11, 1858; Wickliffe's Message to the General Assembly, New Orleans Daily Orescent, January 19, 1859.

¹²⁶ On Sunday morning, February 27, 1859, about nine miles below Baton Rouge at Conrad's Point, the mail packet, *Princess*, caught fire and burned to the water's edge. There were about 250 on board, and scores were lost or seriously hurt, including several legislators. "Governor Wickliffe was conspicuous among those who were active in the work of humanity on the occasion." Baton Rouge Weekly Advocate, March 6, 1859.

¹²⁷ Last Island was a pleasure resort on the southern coast of Louisiana. In August, 1856, a hurricane struck the place, overflowing the island and drowning many people. New Orleans Daily Crescent, August 14, 15, 16, 1856; Rose C. Falls, Cheniere Caminada, or the Wind of Death (New Orleans, 1893); Walter Prichard (ed.), "The Last Island Disaster of August 10, 1856; Personal Narrative of His Experiences by One of the Survivors," in Louisiana Historical Quarterly, XX (1937), 690-737.

¹²⁸ In his farewell address, Wickliffe expressed the hope that at the end of Moore's term he would have even "more cause to congratulate himself than I." Opelousas *Patriot*, January 28, 1860.

¹ West Feliciana District Court Proceedings, D (1859-1876), 158, 202-203.

² New Orleans Daily Crescent, July 20, 1857.

organizing the malcontents into a pro-Douglas group in direct opposition to the pro-administration Democrats led by John Slidell.

When the state convention met in Baton Rouge in March, 1860, that city became the scene of a clash between the opposing factions.³ Wickliffe and Soulé led the anti-Slidell group in advocating that the delegates to the national convention be instructed to vote for the nomination of the Illinois senator,⁴ but they were in the minority and pro-Slidell delegates were chosen to go to Charleston.⁵ There they withdrew along with similar delegations from other Southern states when the pro-Douglas group at the convention secured the adoption of the minority platform.⁶ In desperation, the remaining members tried without success to nominate their leader, so they adjourned to meet in June at Baltimore.⁷ Determined to be represented at this meeting, the Soulé Democrats assembled at Donaldsonville and selected several of their number to proceed to the convention city as official delegates. Among those appointed were Wickliffe and Soulé.⁸

At Baltimore this pro-Douglas group was seated and soon after the nomination of that gentleman was made unanimous. There followed the adoption of a platform endorsing the same principles laid down in the Cincinnati convention, and amid great rejoicing the convention adjourned but not before Wickliffe had attached a supplementary resolution to the platform stating that it was the duty of everyone to respect the decisions of the Supreme Court in regard to the rights of territorial legislatures over their domestic institutions. 12

Upon returning to Louisiana, Wickliffe decided to stump his congressional district in an effort to convince the voters that the salvation of the Union lay in the candidacy of Douglas.¹³ A large

³ McLure, "The Elections of 1860," loc. cit., 646.

⁴ New Orleans Daily Delta, March 7, 1860.

⁸ Ibid.

⁶ McLure, "The Elections of 1860," loc. cit., 651-52.

⁷ Ibid., 654-55.

⁸ Ibid.; Baton Rouge Daily Gazette and Comet, June 9, 1860; Baton Rouge Weekly Gazette and Comet, June 10, 1860.

New York Herald, June 23, 1860.

¹⁰ Ibid., June 24, 1860; McLure, "The Elections of 1860," loc. cit., 655; Wickliffe's personal political scrapbook in the possession of Mrs. Lydia Wickliffe Holmes, St. Peter St., New Orleans.

¹¹ Wickliffe's personal political scrapbook in the possession of Mrs. Lydia Wickliffe Holmes, St. Peter St., New Orleans.

¹³ Ibid.

¹³ New Orleans Daily Crescent, October 6, 1860.

and enthusiastic crowd applauded his opening address in Baton Rouge. 14 but his efforts were wasted, for both John C. Breckinridge and John Bell received many more Louisiana votes than Douglas.15

Resigned to the fact that the election results made secession a certainty, he retired to his home in St. Francisville to await the "irrepressible conflict." Torn between loyalty to his adopted state and blood ties in Kentucky, 16 he took no active part in the events leading to secession and only an insignificant one in the actual military engagements.

Thinking that he was sufficiently removed from the scene of hostilities, he chose to remain neutral, but when Federal occupation of Louisiana began early in 1862, he attempted to join the Confederate army. 17 Being unsucessful, he was forced to accept the role of intermediary on several occasions.

In September, 1862, General Richard Taylor, then in the Lafourche area, sent Wickliffe to New Orleans as the bearer of a communication to General Benjamin F. Butler. 18 Two years later, in an effort to protect lives and property in St. Francisville, Wickliffe pleaded in vain with Captain J. P. Foster, the United States gunboat commander, who was threatening to shell the town.19 Later the same year his entreaties prevented a second shelling by the impetuous Foster.20

¹⁴ Baton Rouge Daily Gazette and Comet, October 6, 1860.

¹⁸ McLure, "The Elections of 1860," loc. cit., 667.

¹⁶ McLure, "The Elections of 1860," loc. cit., 667.

16 His father vigorously opposed secession. Frank Moore (ed.), Rebellion Record: A Diary of American Events, with Documents, Narratives, Illustrative Incidents, Poetry, etc., 11 vols. (New York, 1861-1868), II, 58. He was a member of both the Washington Peace Conference and the Border States Conference. Collins and Collins, History of Kentucky, 1, 86, 89. In 1861, he was elected to Congress as a Union Whig. Thomas Speed, Union Cause in Kentucky, 1861-1865 (New York, 1907), 87. While the war was in progress he ran for governor of Kentucky as a peace Democrat but defeat was his lot. E. Merton Coulter, Civil War and Readjustment in Kentucky (Chapel Hill, North Carolina, 1926), 174-77; Meynier's Louisiana Biographies, Pt. I, 35; James D. Robertson, "Sectionalism in Kentucky, 1855-1865," in Mississippi Valley Historical Review (Cedar Rapids, 1914-), V (1918-1919), 60; Louisville Courier-Journal July 12, 1936. 12, 1936.

¹⁷ Mrs. Marshall to the writer, July 20, 1938.

He is reported to have been appointed a revenue collector by the Confederate government. Interview with G. W. Newman, St. Francisville, Louisiana, August 17, 1938.

¹⁶ Official Records of the Union and Confederate Navies in the War of the Rebellion, 28 vols. (Washington, 1894-), Ser. I, Vol. XIX, 190-91; War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies, 129 vols. (Washington, 1880-1901), Ser. I, Vol. VII, 565; Jesse Ames Marshall, Private and Public Correspondence of Gen. Benjamin F. Butler During the Period of the Civil War, 5 vols. (Norwood, Massachusetts, 1917), 11, 265.

¹⁹ Union and Confederate Naval Records, Ser. I, Vol. XXV, 709.

²⁰ Official Records of the Union and Confederate Armies, Ser. I, Vol. XXXIX, Pt. II, 840. Wickliffe became very friendly with Captain J. P. Foster. On numerous occasions they played cards together in the home of Charles L. Fisher. It was even rumored that there was an unofficial attempt during the progress of one of these games to buy the gunboat from the captain. Interview with G. W. Newman, St. Francisville, Louisiana, August 17, 1938.

When the conflict was over,²¹ Wickliffe returned to the political arena. Although he was convinced that the existing government in Louisiana was the product of fraud, violence, and corruption, he recognized it as the legal government; however, he advised the calling of a convention to form a new constitution.²² Since this was the consensus of Democratic opinion, leading members of that party convened in New Orleans.²³ In their sessions, presided over by Wickliffe,²⁴ a series of resolutions demanding the continuance of white supremacy were adopted and a state ticket headed by J. Madison Wells, the present incumbent, was selected.²⁵ At the same time, the Feliciana politician was the unanimous choice of the Democrats for Congress from the Third District.²⁶

Following an unexciting campaign, Wickliffe easily amassed enough votes to outdistance his two rivals.²⁷ When the next Congress convened, Wickliffe and the other duly elected Congressmen applied for admission but they were never allowed to take their seats, for the House postponed indefinitely action upon their credentials.²⁸

After this discouraging experience Wickliffe retired temporarily from public life and excepting a brief emergence in 1872,²⁹ he refrained from participating in politics until the events leading to the momentous election of 1876 forced him to return to the arena.³⁰

30 In December, 1871, he married his cousin, Annie Davis Anderson of Louisville, Kentucky. Mrs. Marshall to the writer, July 20, 1938.

²¹ John C. Wickliffe, a brother of Robert C., fought through the Civil War as a Confederate soldier, being present at the Battle of Baton Rouge. Beckham to the writer, Louisville, Kentucky, August 24, 1938; Robert Underwood Johnson and Clarence Clough Beull, Battles and Leaders of the Civil War, 4 vols. (New York, 1884, 1888), III, 585; Benjamin F. Butler, Autobiography and Personal Reminiscences of Major General Benj. F. Butler (Boston, 1892), 483; Official Records of the Union and Confederate Armies, Ser. I, Vol XIV, 78-88.

Thomas J. Durant, B. F. Flanders, and others; Conservative Union headed by J. M. Wells; and the Democratic Party headed by Wickliffe and others. Henry C. Warmoth, War, Politics and Reconstruction, Stormy Days in Louisiana (New York, 1930), 39.

²³ John R. Ficklen, History of Reconstruction in Louisiana Through 1868, in Johns Hopkins University Studies in Historical and Political Science, XXVIII, No. I (Baltimore, 1910), 109.

³⁴ New Orleans Times, October 3, 4, 1865; Plaquemine, Louisiana, Iberville South, October 7, 1865.

²⁵ New Orleans Times, October 4, 1865; Wickliffe to Wells, New Orleans, October 4, 1865, ibid., October 6, 1865.

²⁶ Plaquemine Iberville South, October 7, 14, 1865; New Orleans Times, October 4, 1865.
²⁷ His rivals were James H. Muse and W. Mithoff. New Orleans Times, October 10, 20, November 7, 1865.

Louisiana Biographies, Pt. I, 36; Unidentified newspaper clipping in the Wickliffe Collection.
 Wickliffe attended the State Democratic Convention which assembled on June 3, 1872, but he was violently antagonistic to the nomination of Horace Greeley by the Democrats. Since the group favoring fusion with the Liberal Republicans were in the majority, his influence in the convention was not great. New Orleans Daily Picayune, June 4, 7, 8, 9, 1872; St. Francisville, Louisiana, Semi-Weekly Republican, June 11, 1872.

In those tumultuous reconstruction days, the Democrats of West Feliciana were subjected to the same harrowing experiences of those typical of other sections. Carpetbaggers and negroes were in complete control locally and the Democrats awaited patiently the return of white supremacy. Each succeeding year brought little hope of the anticipated restoration, so extensive preparations were begun to force the issue.³¹

Taking advantage of the general unrest characteristic of the time, the Democrats seized the opportunity to begin their purge of negroes and Radicals. On October 25, 1875, a group of armed men raided the store of the colored parish judge, John Dula.³² He escaped without injury, but the mob demanded his resignation. In desperation he appealed to the Democratic bar for guidance and that organization advised that he comply with the demand.³³ Fearing personal violence, Dula resigned and hurried to safety in New Orleans.³⁴

When, a short time later, the resignations of four Radical police jurors were received at Bayou Sara,³⁵ the Democrats thought that victory was within their grasp but they were soon disillusioned as a twist of fate sent Federal troops into the district. This was necessary when bloodshed began with the murder of a country storekeeper by several negroes.³⁶ Already incensed by prevalent petty thievery on the part of the freedmen, the citizens organized without regard to party³⁷ and retaliated by hanging two of the guilty parties.³⁸ Infuriated by this action and apparently encouraged by certain disreputable whites,³⁹ the negroes began a series of depredations that brought them into armed conflict with the white organization, or "Regulators," resulting in a dozen or more killings.⁴⁰ When a virtual battle took place at

³¹ Fanny Z. Lovell Bone, "Louisiana in the Disputed Election of 1876," in Louisiana Historical Quarterly, XIV (1931), 552.

³² Testimony Taken by the Select Committee on Alleged Frauds in the Presidential Election of 1876, House Misc. Doc., 45 Cong., 3 sess., III, No. 31, Pt. 3, pp. 334-35.

³³ Signing the communication advising John Dula to resign were Charles L. Fisher, W. W. Leake, Samuel J. Powell, and Wickliffe. Ibid.; Bayou Sara, Louisiana, Feliciana Ledger, November 10, 1875.

⁸⁴ Bayou Sara Feliciana Ledger, January 1, 1876.

³⁵ Bone, "Louisiana in the Disputed Election of 1876," loc. cit., XIV (1931), 552; House Misc. Doc., 45 Cong., 3 sess., III, No. 31, Pt. 3, p. 552.

³⁶ Opelousas Courier, May 20, 1876.

³⁷ Bone, "Louisiana in the Disputed Election of 1876," loc. cit., XIV (1931), 424-25; New Orleans Republican, December 19, 1876; House Misc. Doc., 45 Cong., 3 sess., III, No. 31, Pt. 3, p. 553.

³⁸ Opelousas Courier, May 20, 1876.

³⁰ New Orleans Daily Democrat, May 30, 1876.

⁴⁰ Opelousas Courier, May 20, 1876.

Bayou Sara between the races⁴¹ United States troops were rushed in to preserve peace.42

In the meantime Wickliffe turned his attention to larger fields as the state party prepared for the approaching election. It was his good fortune to lead the Louisiana delegation to the Democratic national convention in St. Louis,43 and while in attendance he used his influence to cast the vote of the state for Samuel J. Tilden.44

Shortly after, at a huge ratification meeting in New Orleans, he presented the Democratic conception of the campaign. 45 Although illness prevented his making a lengthy speech, Wickliffe informed the assembly that the election of Rutherford B. Hayes would mean a continuation of the policies of Grant's administration, so the Democrats should bend every effort toward the success of their nominee, for upon the results depended the redemption of the state and the entire South.

Soon after the Democrats convened to select a state ticket to oppose the one already named by the Republicans. 46 Four days of deliberation resulted in the nomination of Francis T. Nicholls for governor. In short order the ticket including Wickliffe as a candidate for elector-at-large was completed.47

Feeling the importance of the election, the Democrats of West Feliciana proceeded to organize clubs. 48 In almost every ward one or more clubs were formed. Regular meetings were held, speeches were made, and every effort was expended to increase the membership. On numerous occasions Wickliffe addressed these clubs and it was principally to the colored members that he directed his arguments. He told them that they had exercised the elective franchise since the beginning of reconstruction,

⁴¹ Bone, "Louisiana in the Disputed Election of 1876," loc. cit., XIV (1931), 552.

42 Opelousas Courier, May 20, 1876.

"The political significance of these disturbances is two-fold: the white people of Louisiana, fighting for white supremacy, laid the thievery and lawlessness of the negroes at the door of the Republican party; the Republicans accused the white conservatives of committing these outrages for the purpose of intimidating the colored vote." Bone, "Louisiana in the Disputed Election of 1876," loc. cit., XIV (1931), 424-25.

48 New Orleans Daily Democrat, June 18, 1876.

45 Ibid., June 26, 28, 29, 1876.

46 The Republican ticket included: governor, Stephen B. Packard; lieutenant governor, C. C. Antoine; secretary of state, Emile Honore; auditor, George B. Johnson; attorney general, William H. Hunt; superintendent of education, William G. Brown; electors, William P. Kellogg, J. H. Burch, Peter Joseph, Lionel A. Sheldon, Morris Marks, A. B. Levisee, O. H. Brewster, and Oscar Joffrion. New Orleans Republican, July 18, 1876.

47 The Democratic ticket included: governor, Francis T. Nicholls; lieutenant governor, Louis A. Wiltz; attorney general, H. N. Ogden; secretary of state, William A. Strong; auditor, Allen Jumel; superintendent of education, Robert M. Lusher; electors, John McEnery, Wick-liffe, Louis St. Martin, Felix D. Poche, Alcibiades DeBlanc, W. A. Seay, R. G. Cobb, and K. A. Cross. New Orleans Daily Democrat, July 30, 1876; Appleton's Annual Oyclopedia and Register of Important Events . . . , 42 vols. (New York, 1862-1903), XVI (1876), 484-85.

48 House Misc. Doc., 45 Cong., 3 sess., III, No. 31, Pt. 3, pp. 548-55.

and the very men they put into office were giving them bad government. Comparing the existing government with former administrations, he pointed to glaring instances of extravagance and misgovernment. They, like the whites, were getting poorer and poorer each day and the responsibility of maintaining or replacing such officials rested solely with the colored vote. The school question was a favorite of Wickliffe and the other speakers. They pointed out that taxes were paid for the maintenance of schools but these funds were plainly misappropriated, for the public school system was not existent. Wickliffe did not hesitate to promise that a changed administration would benefit the colored people as well as the whites, saying that if the Democrats did not carry out the necessary reforms, he would co-operate with the colored voters against his own party.

These preparations were viewed with alarm by the Republicans of the district but the Democrats proceeded calmly with their task despite an unsuccessful attempt to assassinate Wickliffe and his law partner, Charles L. Fisher. 49 Evidently these clubs did a very thorough job, for on election day the Democratic candidates polled big majorities in the Felicianas.50

Indeed, the Democrats of West Feliciana, like those in other parts of the state and nation, had every reason to rejoice, for election day was peaceful in every respect and except for a few minor cases there was no reason to expect any protests.⁵¹ In fact both the commander of Federal troops in the district and D. A. Weber, the Republican supervisor of elections, assured Wickliffe that everything was in perfect order during the day.52 Furthermore, several days later Weber made the same statement in New Orleans.53

But it soon became common knowledge that unless numerous parish returns were contested during the official count, the Republicans were doomed to defeat locally and nationally. On the other hand if the vote of several overwhelmingly Democratic parishes were thrown out, then the Republicans would be assured of

⁴⁹ Wickliffe's testimony before the House Committee, New Orleans Republican, December 19, 1876; Testimony Taken by the Select Committee on the Recent Election in the State of Louisiana, House Misc. Doc., 44 Cong., 2 sess., I, No. 34, Pt. 1, pp. 173-76.

According to the story, the two were fired upon by negroes as they left their law offices. By jumping behind a nearby tree they were saved from injury but the tree was hit by one bullet. Mr. G. W. Newman has a piece of the tree with the bullet still lodged in it. Interview with G. W. Newman, St. Francisville, Louisiana, August 17, 1938.

50 New Orleans Republican, November 10, 1876.

⁵¹ Ibid.; New Orleans Times, November 8, 1876, quoted in Opelousas Courier, November

 <sup>11, 1876.
 52</sup> House Misc. Doc., 45 Cong., 3 sess., III, No. 31, Pt. 3, p. 548.

⁵³ Ibid., 551, 555.

success in Louisiana and possibly in the United States. With this result in view the Republicans made their plans for the Returning Board to magically change a Democratic into a Republican majority.54

Wickliffe hurried to New Orleans in order to be present when the board convened for the canvass.55 However, that body lost no time in taking the steps necessary to control the results, for it passed resolutions authorizing secret sessions and requiring that interrogations presented to witnesses by candidates or their attorneys be in written form and submitted at least twenty-four hours in advance.⁵⁶ Although this took the Democratic representation by suprise, it did not discourage them; on the contrary, they increased their vigilance.⁵⁷ As the count progressed, it was evident that the board intended giving the election to the Republicans, for despite evidence refuting practically every charge, that body decided in almost every case against the Democrats. When the case of West Feliciana came up for consideration. Wickliffe was dumbfounded when numerous protests signed by Weber, the election supervisor, were brought forward for consideration.58 To him this was conclusive proof that these protests were conjured up by the Republicans days after the election when they realized they had lost. Both Weber and Wickliffe produced numerous witnesses, but the decision was true to form as over 1,000 Democratic votes were thrown out and the results of the election in West Feliciana completely reversed. 59 Since similar decisions were reached in practically every contested case, 10,280 Democratic votes were nullified while only 1,763 Republican votes were thrown out.60 This action completely wiped out a Democratic majority of 6,000 and replaced it with a safe one for the administration.61

⁵⁴ The Returning Board had been created by the legislature in 1872. Its duty was to meet ten days after the election and compile election returns. Originally it was composed of five members elected by the senate from all parties, but vacancies were to be filled by the remaining members. In 1876 the only Democratic member resigned, and when no one was selected to take his place, the remaining four members proceeded to count the vote. The members were J. Madison Wells, former governor, as president, Thomas C. Anderson, Gadane Casanave, and Louis M. Kenner. The latter two were negroes. Louisiana Acts, 1872, No. 98, pp. 15-28; New Orleans Republican, November 14, 21, 1846; New Orleans Times, November 25, 1876, quoted in Opelousas Courier, December 2, 1876.

⁵⁵ House Misc. Doc., 45 Cong., 3 sess., III, No. 31, Pt. 3, p. 549.
56 New Orleans Republican, November 21, 1876.
57 Ibid., November 23, 25, 26, 28, 30, December 1, 2, 3, 1876.
58 Ibid., November 26, 1876.

Opelouss Courier, December 16, 1876.
 Opelouss Courier, December 16, 1876.
 Ibid.; Minority Report of the Select Committee on the Privileges, Powers, and Duties of the House of Representatives in Counting the Vote for President and Vice President of the United States, House Reports, 44 Cong., 2 sess., No. 100, pp. 3, 44.
 New Orleans Republican, December 3, 1876; Appleton's Annual Cyclopedia, XVI (1877), 489; Tribune Almanac for 1868 to 1877 Inclusive (New York, 1877), 129.

At later dates, Wickliffe testified before two different House committees, 62 but it was his part in the trial of Thomas C. Anderson, a member of the infamous Returning Board, that probably gave him most satisfaction, for he made available the evidence that was to prove the accused guilty beyond the shadow of a doubt.

This was made possible when the House Judiciary Committee came into possession of certain Vernon Parish election returns which a clerk of the Returning Board had testified were forged by Wells and other members. 63 Although this evidence was of no immediate value to the chairman of that committee, Proctor Knott of Kentucky, he retained possession of the papers.64 However, when the Returning Board was arrested upon recommendation of the Orleans Parish Grand Jury 65 the returns from that parish became immensely important, so Wickliffe took the necessary steps to secure that evidence.66 He had never lost track of those papers from the time they left New Orleans; consequently, he had no difficulty in getting them through a nephew in Kentucky.67 In due time he presented them to the attorney general of Louisiana in order that they might be used to prove that the accused had committed forgery.68

At the trial of the first member, Anderson, 69 the authenticity of the Vernon returns was firmly established and the accused was promptly found guilty of forgery as charged. 70 Immediately his counsel entered a motion for a new trial on the grounds that Anderson was not present during the counting of the Vernon votes, 71 but the subsequent testimony of Wickliffe and several others disproved the claim⁷² and the court sentenced the prisoner to two years at hard labor in the penitentiary.73 However, the case was appealed, and to the disgust of everyone the accused was acquitted, for the act committed constituted no crime known to the law of the state.74

New Orleans Republican, December 13, 19, 20, 1876; House Misc. Doc., 44
 sess., I, No. 34, Pt. 1, pp. 173-76; 45 Cong., 3 sess., III, No. 31, Pt. 3, pp. 548-50.
 Opelousas Courier, February 3, 1877.
 New Orleans Daily Democrat, November 3, 1877. 44 Cong., 2

⁶⁵ New Orleans Weekly Democrat, July 21, 1877; Bone "Louisiana in the Disputed Election of 1876," loc. cit., XV (1932), 263; Appleton's Annual Cyclopedia, XVII (1878), 495.
66 St. Francisville Feliciana Sentinel, November 10, 1877.

⁶⁷ Ibid.; New Orleans Daily Democrat, November 3, 1877.

New Orleans Daily Democrat, November 3, 1877.
 Trial of Thomas C. Anderson for Publishing Forged Election Returns, Reported by T. Wharton Collens, Jr. (New Orleans, 1878).

⁷⁰ Ibid., 181.

⁷¹ Ibid.

⁷² Ibid., 183.

⁷³ Ibid.

⁷⁴ The State v. Thomas C. Anderson, 30 La. Ann. 557.

That action by the Supreme Court climaxed almost two decades of disappointments and setbacks for the former governor. During that time he had witnessed the success of the Republicans in 1860, the secession of the Southern states, the occupation of Louisiana by the Federals, the dominance of the negroes and carpetbaggers in Louisiana, the refusal of Congress to seat the representatives elected in 1865, the Democratic alliance with the Liberal Republicans in 1872, the sessions of the Returning Board in 1876, the decision of the Electoral Commission, 75 and the trial of Anderson. In each of these, it was his lot to meet defeat, so it is not surprising that he was thoroughly discouraged with the turn of events which were in direct contrast with his phenomenal success in earlier years.

CHAPTER VI

CONCLUDING YEARS

The restoration of white supremacy occasioned by the withdrawal of Federal troops from the state brought new hope to the Democratic party and not the least happy and enthusiastic member was Wickliffe.

From an early date he had nourished a secret desire to represent his constituents in Congress. With the Radicals overthrown, the time was opportune for the realization of his objective but that ambition was never realized, for although he was seriously considered he failed to get the support necessary to assure him a seat in the United States Senate² or the House of Representatives.3

Being yet a power in the Democratic ranks, he led the Louisiana delegation to the national convention in 1884 and used his influence to cast the vote of the state for Grover Cleveland.4 In addition he participated actively in state politics during the years following the return of the Democrats to power. In the state conventions, few occupied a more prominent place, for he served as vice president,5 member and chairman of the resolutions

⁷⁵ Edward McPherson, Handbook of Politics, 14 vols. (Washington, 1868-1894), 1878, pp. 13-16; Congressional Record, 44 Cong., 2 sess., V, Pt. 3, p. 1703; Pt. 4, p. 280.

1 Fortier, History of Louisiana, IV, 185-93.
2 New Orleans Daily Democrat, January 13-27, 1877.
3 Baton Rouge Weekly Advocate, August 9, 1878; St. Francisville Feliciana Sentinel, September 6, 1884; June 24, 26, September 18, 1886; Baton Rouge Weekly Capitolian Advocate, September 18, 1886.

⁴ New Orleans Daily Picayune, July 7, 9, 12, 1884; New Orleans Times-Democrat, July 8, 1884; St. Francisville Feliciana Sentinel, July 5, 1884.

⁵ Baton Rouge Weekly Advocate, August 9, 1878; St. Francisville Feliciana Sentinel, August 10, 1878; Plaquemine, Louisiana, Iberville South, August 10, 1878.

committee,6 member of special committees,7 member of the state central committee,8 and in 1892 he was selected as a candidate for lieutenant governor.9

The last provided the closing scene of his long and active political career. In that campaign the lottery issue so involved the Democrats that they almost sacrificed their chances of remaining the dominant state party. 10 Difficulties arose when the Louisiana Lottery Company applied to the legislature for a renewal of its charter. 11 That body, after much wrangling, passed the necessary legislation, 12 but the courts received the matter when the governor vetoed it.13 The decision of the Supreme Court placed the whole question in the hands of the electorate.14

Friends and opponents of the company realized that the control of the Democratic party was necessary to win their point at the coming election. With this in view both sides planned to capture the state nominating convention. Hostilities opened at the meeting of the state central committee in October, 1891.15 There, the lottery men, being in the majority, took the necessary measures to control the nominating convention.¹⁶ Nevertheless, this action split the Democrats into two factions that were not reconciled until long after the general election.

The lottery Democrats met at Pike's Hall in Baton Rouge on December 16, 1891, 17 and selected Wickliffe the permanent chair-

⁶ Baton Rouge Weekly Advocate, August 9, 1878; Baton Rouge Weekly Capitolian Advocate, June 21, 1884; June 14, 1888; New Orleans Times-Democrat, June 18, 1884.

⁷ Baton Rouge Weekly Advocate, August 9, 1878; Plaquemine Iberville South, August

^{10, 1878.} 8 St. Francisville Feliciana Sentinel, February 4, 1888; October 17, 1891; New Orleans

^{*} St. Francisville Feliciana Sentinel, February 4, 1888; October 17, 1891; New Orleans Daily Picayune, October 11, 1891.
* Among nonpolitical honors accorded Wickliffe were: delegate to Levee Convention in 1865; invitation to speak at Louisiana State University commencement in 1878; participant in Louisiana Day at the World's Exposition in New Orleans in 1885; delegate to the Mississippi River Improvement and Western Waterways Convention in 1885; and delegate to the State Immigration Conservation in 1888. New Orleans Times, October 5, 1865; Plaquemine Louisiana, Iberville South, October 14, 1865; Baton Rouge Weekly Advocate, June 28, 1878; St. Francisville Feliciana Sentinel, April 4, May 2, 1885; February 18, 1888; Baton Rouge Weekly Capitolian Advocate, March 28, 1885.
10 Complete detailed accounts of this election may be found in John S. Kendall. History.

¹⁰ Complete detailed accounts of this election may be found in John S. Kendall, History of New Orleans, 3 vols. (Chicago and New York, 1922); III, 483-501, and Berthold C. Alwes, "History of the Louisiana Lottery Company" (M. A. Thesis, Louisiana State University, Baton Rouge, 1929).

Lottery, had been legalized by the constitution of 1864. Francis N. Thorpe (ed. and comp.), Federal and State Constitutions, Colonial Charters, and Other Organic Laws . . ., 7 vols. (Washington, 1909), III, Art. 116, p. 1443.

11 The company offered \$1,000,000 a year for renewal. Louisiana House Journal, 1890, p. 316; Louisiana Senaic Journal, 1890, pp. 318-14.

¹² Ibid., 423-24; Louisiana House Journal, 1890, pp. 568-71, 627-32.

Louisiana House Journal, 1890, p. 590.
 43 La. Ann. 590.

¹⁸ New Orleans Daily Picayune, October 14, 1891.

¹⁶ The lottery group voted to let the state nominating convention choose its chairman instead of letting the chairman of the state central committee serve as had been the custom. The move was intended to place a lottery man in the chair in the place of John S. Lanier, an antilottery man, who ordinarily would have served in that capacity. New Orleans Daily Picayune, October 16, 17, 1891.

man. 18 Proceeding with the business before the convention, the delegates chose a ticket headed by Samuel D. McEnery for governor and Wickliffe for lieutenant governor.19 The platform adopted did not mention the lottery.20

Simultaneously, the antilottery group met in the hall of the House of Representatives and placed a ticket headed by Murphy J. Foster in the field.²¹ Resolutions denouncing the lottery formed the basis of their platform.22

After several attempts to reconcile the two factions failed,²³ John A. Morris, a lottery official, surprised both sides by withdrawing the offer his company had made for a renewal of the charter.²⁴ This opened the road for negotiations and Wickliffe, like the other Democrats, used his influence to bring about a compromise.25 A primary was finally agreed upon26 and both wings of the party began a spirited campaign.

Though illness prevented active campaigning by the aging Feliciana politician,²⁷ he managed to address several audiences before the primary date.28 When that day arrived, nothing was settled, for the contest was so close that because of controversies over several New Orleans precincts,29 both claimed the election30 and both tickets remained in the field.31

Fortunately for the Democrats, the opposition was also divided. With the general election fast approaching, there were three other tickets in the field in addition to those representing the Democratic factions. The Republicans, unable to take advantage of the golden opportunity because of internal dissensions, had nominated two separate tickets,32 while the Populists entered a full slate for the first time in a state campaign.33

 ¹⁹ Ibid., December 19, 20, 1891. It was claimed by some that Wickliffe accepted with the understanding that McEnery would become senator and he would again move into the governor's chair. Interview with G. W. Newman, St. Francisville, Louisiana, August 17, 1938.
 20 New Orleans Daily Picayune, December 20, 1891.
 21 Ibid., December 18, 1891.

²³ Ibid., December 17, 1891; New Orleans Times-Democrat, January 9, 1892.
24 New Orleans Times-Democrat, February 4, 1892.
25 Ibid., February 8, 9, 16, 17, 1892.
26 On this occasion Wickliffe said, "It is a happy day for the Democracy of Louisiana," On this occasion Wickliffe said, "It is a happy day for the Democracy of Louisiana,"
 Ibid., February 21, 1892.
 27 St. Francisville Feliciana Sentinel, January 2, 1892; New Orleans Times-Democrat,
 January 9, 1892.
 28 New Orleans Times-Democrat, February 23, March 8, 1892; St. Francisville Feliciana
 Sentinel, February 27, 1892.
 New Orleans Times-Democrat, April 5, 6, 1892.
 New Orleans Louisiana Review, April 6, 1892; New Orleans Times-Democrat, April 7,

<sup>1892.

31</sup> New Orleans Times-Democrat, April 7, 1892.

32 One faction entered a ticket headed by A. H. Leonard while the other faction selected John E. Breaux for their gubernatorial choice. New Orleans Daily Picayune, December 20, 1891; January 20, February 18, 1892.

33 This was a farmer's organization which had its beginning in the latter part of the nineteenth century. Melvin J. White, "Populism in Louisiana During the Nineties," in Mississippi Valley Historical Review, V (1918-1919), 4-6.

Excepting an address to his fellow townsmen³⁴ and a brief tour of North Louisiana, 35 Wickliffe was forced to dispense with intensive campaigning, but his confederates canvassed the entire state. However, when the votes were counted the Foster Democrats were declared the winners,36 and for the last time Wickliffe met with political defeat.

Meanwhile the people of his native parish had time after time honored him with positions of a local nature. He was perennially their choice for delegate to various state conventions,37 and no political gathering in the Felicianas was complete without the presence of the aging former governor.38

Indeed, the people of West Feliciana had every reason to revere and respect Wickliffe, for he had devoted much of his time to bettering agricultural conditions besides distinguishing himself in every courtroom in the district.

Being the owner and operator of the large cotton plantation, 39 Wyoming, 40 he took a keen interest in the problems that faced the farmers of the day. For many years he belonged to the local Farmers' Club which discussed such problems as best method of plowing, advantages of a creamery, benefits and uses of parish fairs, best and cheapest method of restoring old land, advisability of a no-fence law, and possibility of establishing a cotton factory.41 From meetings of this club grew the West Feliciana Fair Association which was organized in 1887 with Wickliffe as a charter member.⁴² Year after year he helped to direct the policy of that organization43 and the fairs afforded him great pleasure when his thoroughbred horses came off with numerous prizes.44

In direct contrast with his political setbacks in later life was the former governor's phenomenal success as a lawyer. Even before the Civil War his reputation in that field was well estab-

³⁴ St. Francisville Feliciana Sentinel, May 19, 1892.

³⁵ Ibid., April 2, 1892.

³⁶ Louisiana Secretary of State Report for 1892-1893 (Baton Rouge, 1894), 100-101.

³⁷ St Francisville Feliciana Sentinel, August 10, 1878; July 5, 1884; Baton Rouge Weekly

Advocate, August 9, 1878.

38 St. Francisville Feliciana Sentinel, September 21, 28, 1878; April 10, 1880; June 14, November 15, 1884; January 7, February 4, 7, 1888.

39 In Louisiana the Governor owned numerous lots in St. Francisville in addition to the plantation, while in Kentucky he owned about 373 acres divided into three separate tracts. West Feliciana Notarial Records (Court House, St. Francisville, Louisiana), V (1891-1896), 473-75.

⁴⁰ The Governor spent little time on his plantation but it was his favorite spot for the young people. St. Francisville, Louisiana, Feliciana Republican, June 3, 1871; Interview with Oriana Pillet, St. Francisville, Louisiana, August 17, 1938.
⁴¹ St. Francisville Feliciana Sentinel, May 21, June 18, 1887.

⁴² Ibid., July 2, November 5, 12, 1887; November 3, 1888; May 13, 1889; November 29, 1890; November 14, 1891.

⁴⁴ Ibid., October 29, 1887; October 27, 1888; October 11, 1890; November 5, 1892.

lished.45 but during the days of Republican supremacy he formed a very advantageous partnership with Charles L. Fisher. 46 That gentleman was a man of great intellect and a genius for research.47 while, on the other hand, Wickliffe was the rare type of orator that could hold an audience or a jury spellbound.48 This combination worked so harmoniously that in a short while they became an almost unbeatable combination. Criminal cases were their specialty, and securing Wickliffe and Fisher as legal counsel was almost synonymous with acquittal.49 When technicalities balked these astute lawyers, Wickliffe relied on pathetic and heartrending appeals to the jury and this usually brought the desired results.50

Not being confined to practice in his own parish, he argued cases in several neighboring courts⁵¹ and before the State Supreme Court with equal success. In fact, his record before the latter is almost unbelievable, for he won more than eighty per cent of his cases before that body.52

But although his life seemed completely filled with legal, political, and agricultural matters, his lot was a lonely one.53 Prior to his serving in the gubernatorial capacity, his first wife died,54 leaving him one daughter, Margaret.55 Then, after remaining a widower for almost twenty years, he married his

⁴⁵ West Feliciana District Court Proceedings, D (1859-1876), 158, 202-203.

⁴⁶ St. Francisville Feliciana Sentinel, December 8, 1888; Bayou Sara Feliciana Ledger,

⁴⁷ Interview with Oriana Pillet, St. Francisville, Louisiana, August 17, 1938.

⁴⁸ Interview with G. W. Newman, St. Francisville, Louisiana, August 17, 1938.

⁴⁹ St. Francisville Feliciana Republican, May 18, June 3, 24, 1871; St. Francisville Semi-Weekly Republican, March 15, 1892; St. Francisville Feliciana Sentinel, March 16, 1889.

In the case of J. V. White, Wickliffe and Fisher were secured as counsel after a lower court had convicted him of murder. They appealed the case and White was acquitted. Baton Rouge Weekly Advocate, March 21, 1879.

⁵⁰ A good illustration was his closing argument in the case of E L. Weber. Wickliffe said, "You cannot then persecute him any further; law and justice alike forbid it—let him go home, his aged mother is waiting for him, she will receive with tears of joy, and she will thank God that the law of the land made known to her the blissful tidings that her son is not a murderer." St. Francisville Feliciana Republican, June 3, 1871.

⁵¹ East Feliciana Court Records (Louisiana State University Archives, Baton Rouge), 19 (1874-1879), No. 1321; 19 La. Ann. 136; 25 La. Ann. 127, 364; 26 La. Ann. 187; 40 La. Ann. 10131.

⁵² Between 1854 and 1893 he won thirty-four of the forty-one cases he argued before this court. 9 Ls. Ann. 443; 15 Ls. Ann. 628; 16 Ls. Ann. 245; 19 Ls. Ann. 136, 186; 21 Ls. Ann. 171, 176, 182, 199, 277, 395; 23 Ls. Ann. 197, 253; 24 Ls. Ann. 171, 173, 224, 248; 25 Ls. Ann. 127, 364; 26 Ls. Ann. 187, 537; 27 Ls. Ann. 289; 29 Ls. Ann. 105; 30 Ls. Ann. 364, 410, 542, 593, 623, 1060; 34 Ls. Ann. 533, 910; 37 Ls. Ann. 160; 38 Ls. Ann. 267; 40 Ls. Ann. 10131, 10132, 10133; 42 Ls. Ann. 230, 10547, 10548; 43 Ls. Ann. 342; 45 Ls. Ann. 381.

⁵³ Interview with Oriana Pillet, St. Francisville, Louisiana, August 17, 1938.

⁵⁴ Baton Rouge Weekly Comet, May 29, 1853.

⁵⁵ She married John C. Beckham of Shelbyville, Kentucky.

It should be pointed out that Wickliffe's youngest sizer married a brother of John C. Beckham and one of her sons is John Crepps Wickliffe Beckham, former governor and United States Senator from Kentucky. Therefore, he is Wickliffe's nephew, not his grandson as many think. Beckham to the writer, August 24, 1938.

cousin, Annie Davis Anderson of Louisville,56 and after two children, Elizabeth⁵⁷ and Robert Charles,⁵⁸ were born, he again became a widower.59

Left with two small children to rear, Wickliffe turned to his Kentucky kinsmen for assistance, and consequently much of his later life was spent in the state of his birth.60 His visits to that state⁶¹ became longer and more frequent as he advanced in age and it was while on one of these trips that heart trouble and grippe overcame him. The end came at 5 P. M. on April 18, 1895, with his entire family at his bedside. 62 A special train took the remains to Wickland at Bardstown where the funeral services were conducted. 63 The Masonic order took charge of the body and interred it in the family lot of the local cemetery64 before a large outpouring of citizens unprecedented in the history of that town.65

Half a century had passed since Wickliffe was forced to leave the town of his birth in search of health, and during those years, it was his good fortune not only to regain that which he sought, but also to win fame and prosperity in a distant state. 66 During his stay in the Southland this country was forced to settle a disturbing question that almost disrupted the Union, but through the entire upheaval he remained a sound and consistent Democrat. His aim was to serve his country through his party but never did he make the best interest of his state or country subservient to

⁵⁶ Mrs. Eugene Soniat, Biographical Sketches of Louisiana Governors from Iberville to Foster (Baton Rouge, 1893), 46; Mrs. Marshall to the writer, July 20, 1938.

57 Elizabeth is the Mrs. Charles C. Marshall to which frequent reference has already been made. Her husband is a district judge. Beckham to the writer, August 24, 1938.

58 Robert Charles rose to prominence later in state politics, becoming the representative from the Sixth Congressional District. He was accidently killed while serving in Washington. Memorial Addresses on the Life and Character of Robert C. Wickliffe (Washington, 1913), located in Wickliffe Collection (Louisiana State University Archives, Baton Rouge), No. 2. His widow, since remarried, is Mrs. Lydia Wickliffe Holmes, St. Peter St., New Orleans.

59 Unidentified Shelbyville newspaper clipping.

60 Interview with Oriana Pillet, St. Francisville, Louisiana, August 17, 1938.

61 St. Francisville Feliciana Sentinel, November 8, 1879; April 10, October 9, 1880;

ol Interview with Oriana Pillet, St. Francisville, Louisiana, August 17, 1938.
ol St. Francisville Feliciana Sentinel, November 8, 1879; April 10, October 9, 1880; September 4, December 11, 1886; April 28, 1888; October 11, 1890; May 30, 1891; Bayou Sara, Louisiana, True Democrat, March 11, June 10, 1893.
olimits Robert C. Wickliffe, Jr. to S. McC. Lawrason, Shelbyville, Kentucky, April 22, 1895, in Personal Papers, Miscellaneous, 1890-1899 (Louisiana State University Archives, Baton Rouge); New Orleans Times-Democrat, April 19, 1895; New Orleans Daily Picayune, April 19, 1895.

⁶³ Unidentified Shelbyville newspaper clipping.

⁶⁴ Ibid. Wickliffe was a past master Mason of Lodge 31 at St. Francisville, Louisiana. Proceedings of Grand Lodge of State of Louisiana (New Orleans, 1828-), 1896, p. 166; 1870, p. 142; 1871, p. 118; 1873, p. 140; Book of Minutes, Lodge 31, St. Francisville, Louisiana, 1871, pp. 208-209.

p. 142; 1871, p. 142, 1871, pp. 208-209. ⁶⁵ Unidentified Shelbyville newspaper clipping. ⁶⁵ Unidentified Shelbyville newspaper clipping. of Inaddition to members of the family already mentioned, a nephew, John C. Wickliffe, became prominent in Louisiana. He migrated also to the state from Kentucky and became a lawyer of note. He is remembered chiefly for his work as district attorney for Grant Parish and his part in the Mafia incident in New Orleans. Beckham to the writer, August 24, 1938; St. Francisville Feliciana Sentinel, June 28, 1884; 35 La. Ann. 348; 36 La. Ann. 287, 320; 38 La. Ann. 252, 348; Fortier, History of Louisiana, IV, 225-27.

mere party ends. Being human, he made mistakes, but when he did, he was among the first to rectify them. However, when he became convinced of the justness and righteousness of a principle, he pursued it even though it meant breaking with the temporary leaders of his party. One near and dear to him has characterized him by saying, "He had a high sense of public as well as private honor and I am sure never was guilty of an ungenerous or dishonorable act in his life." His passing left a record that indeed added lustre to a family name already honored in the history of his country.

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⁶⁷ Beckham to the writer, August 24, 1938.

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THE HISTORY OF NEGRO EDUCATION IN LOUISIANA*

By BETTY PORTER

CHAPTER I

NEGRO EDUCATION UNDER THE SLAVE REGIME

Numerous studies have been made in the history of education in Louisiana. One by our late State Superintendent of Public Education treats of educational development throughout the state from the beginning of the colonial era to 1924. Some students have made studies of local units, either parish or city, while others have done research on particular periods. In none of these has the subject of Negro education been treated except in a very incidental way. In fact the subject is omitted in most of these works. Therefore, because of the lack of research in this particular field and because of the writer's happy and interesting contacts in early life with four former slaves, two of whom had been in her grandfather's family, this study has been undertaken.

In Louisiana, as in other slaveholding states, the plantation itself became a school wherein

the first education of the Negroes consisted of learning to do sustained labor, of learning to speak the English language, and of learning "to lose some of their terror of Voodoo spells in the happier faith of Christianity." While the slaves were allowed to choose whether or not they would accept a new faith, they were compelled to learn to speak the English language. The slaveholders forced them to do sustained labor.2

U. B. Phillips makes the following significant comment on the education of slaves, as it was conducted on the plantations of the South:

The slave plantation, like other schools, was conditioned by the nature and habituations of its teachers and pupils. Its instruction was inevitably slow; and the effect of its discipline was restricted by the fact that even its aptest pupils had no diploma in prospect which would send them forth to fend for themselves.3

^{*} Master's Thesis in History, Louisiana State University, 1938.

¹ T. H. Harris, The Story of Public Education in Louisiana (New Orleans, 1924).

² Ullin Whitney Leavell, Philanthropy in Negro Education (Contribution to Education, Published under the Direction of George Peabody College for Teachers, No. 100, Nashville, 1930), 2.

³ U. B. Phillips, Life and Labor in the Old South (Boston, 1930), 201.

The very routine work of the plantation was instrumental in teaching such virtues as punctuality, application and thoroughness, but

The household and personal servants were in a particularly happy position to acquire the social customs and personal habits of civilized life. The greater part of Negro education throughout the slave regime was just this habituation to civilized, albeit rude and simple standards. As a result of the slave status they incidentally but inevitably acquired the language, the religion, the family ideal, and other values of European culture.⁴

Although the chief training for the mass of Negroes was naturally on the plantation and in the master's household, early in Louisiana's history we find definite efforts toward a more formal education for Negroes. Negro education in Louisiana had its beginning in Catholic churches and schools established primarily for the white people of the colony. In 1727, when New Orleans was but nine years old, the Ursuline nuns, under Mother Marie Tranchepain de St. Augustin, arrived from France and were domiciled temporarily in Bienville's spacious country house. This, the first convent of Sisters within the present limits of the United States, located in the square bounded by Bienville, Chartres, Douane and Decatur streets, "but a few squares from the venerable hovel . . . where Father Cecil taught the boys of the town." Bienville's house is described as follows:

It was two stories high; the flat roof could be used as a belvedere or gallery. Six doors gave air and entrance to the apartments on the ground floor. There were many windows but instead of glass, the sashes were covered with fine linen which let in as much light as glass and more air. The ground about the house was cleared; it had a garden in front and a pantry yard in the rear.

The good Sisters immediately began their school duties, which were not restricted to the whites. Here they "made the first systematic attempt . . . to teach Indian and negro girls." In the afternoons they assembled the young Negro and Indian girls, formed them into classes and taught them sewing, their

⁴ E. B. Reuter, The American Race Problem, a Study of the Negro (New York, 1927), 255.

⁵ [Mary Teresa Austin Carroll], Essays, Educational and Historic (New York, 1899), 20-24.

⁶ Henry Churchill Semple, ed., The Ursulines in New Orleans and Our Lady of Prompt Succor: A Record of Two Centuries, 1727-1925 (New York, 1925), 12.

⁷ Grace King, New Orleans, the Place and the People (New York, 1915), 55.

letters, and the catechism.⁸ Riley records that they were also taught reading, writing, care of silk worms and the making of fabric.⁹ In 1734 the Ursulines moved into their new convent on Chartres Street where they were able to offer increased educational opportunities to their pupils. This group included seven slave boarders and many black and Indian women who came every day for several hours for some type of instruction.¹⁰

Father de Beaubois, a prominent Jesuit priest of New Orleans, in writing to his superior, Abbe Raguet, in France, thus commended the services of the Ursulines:

You must never regret the expense for their establishment, and if they would thank me for anything, let them in France credit to my honor what these Sisters do here and the service they render. The great good which they do by liberally educating so many children and slaves, has won them the respect and love of all the people.¹¹

This labor with the slaves was not always appreciated, for the records relate that in July, 1737, the Ursulines brought suit to collect from the estate of Mr. St. Julien the sum of 449 livres 10 sols for the board of a mulattress whom Mr. St. Julien had placed in their care. The claim was upheld and the debt ordered paid.¹²

Nearly a hundred years after the coming of the Ursulines the Sisters of the Order of the Sacred Heart established schools in Louisiana, and among their other duties gave some instruction to Negroes. Madame Philippine Duchesne and several companies, the first of the Order to come to Louisiana, opened an academy at Grand Coteau in 1821. Four years later she laid the foundation for the now well-known Convent of St. Michaels in St. James Parish. Academies were established in Natchitoches in 1847 and in Baton Rouge four years later. The original building of the former became the first home of the present Louisiana State Normal College. Four white columns, all that is left of the once beautiful building, still stand.

^{*} Ibid., 68.

⁹ Martin Luther Riley, "The Development of Education in Louisiana Prior to State-hood," in Louisiana Historical Quarterly, XIX (1936), 605.

 ¹º Alcée Fortier, Louisiana Studies (New Orleans, 1894), 245-246.
 1¹ Claude L. Vogel, The Capuchins in French Louisiana, (1722-1766) (New York, 1928),

 ¹² Records of the Superior Council of Louisiana (MS., Archives of the Louisiana Historical Society, Cabildo, New Orleans), No. 2110, July 27, 1737, pp. 8577-8579.
 ¹³ Edwin Whitfield Fay, The History of Education in Louisiana (Washington, 1898), 131.

"These ladies of rare refinement and intellectual culture," like the Ursulines, did not limit their attention to the whites "who thronged to their schools eager to profit by the advantages" offered. Their efforts were lavished "equally on the negroes and Indians, with whom they disdained not to dwell among the wilds of the forest and prairie."¹⁴

In 1845, Norman's New Orleans and Environs comments thus on the work of still another religious order:

The Carmelite Convent is a frame building, which stands upon ground adjoining the church of St. Augustine, and is occupied by the nuns of this order. They have an excellent school under their care, divided into two apartments—one of which is appropriated to white and the other to free colored children, many of the latter class, have wealthy parents, and pay a high price for their education.¹⁵

By the middle of the nineteenth century the Negroes themselves made a definite and successful attempt in the field of education and social welfare. At the very height of the "brilliant and unwholesome notoriety" of the quadroon women, the Congregation of the Sisters of the Holy Family was founded at New Orleans, in 1842. Three young women of color, descendants of the oldest and most reputable free colored families in New Orleans, were responsible for this organization. They dedicated their services, wealth and education to charitable and religious work among their own people. Their first institution, a home for Negro orphans and aged Negroes, was located on Bayou Road. Here their purpose was to instruct the young and old in catechism and to teach the orphans the rudiments of the language, as well as sewing, cooking, housekeeping, and laundry work.¹⁶

The "Black Code" of Louisiana levied heavy fines and severe punishments on those who taught slaves, and enforced a more or less constant vigilance over free people of color. Yet the law tolerated private schools for the latter "by a significant silence on the subject. Public opinion has also tolerated them by a quasi encouragement and patronage." So it was that private school for free people of color had a long and prosperous existence.

¹⁴ Ibid., 131.

15 Benjamin Moore Norman, Norman's New Orleans and Environs . . . (New Orleans, 1845), 104-105.

¹⁶ Interview with Mother Borgia, Mother Superior of this order of colored nuns.
¹⁷ Nathan Willey, "Education of the Colored Population of Louisiana," in Harper's New Monthly Magazine, XXXIII (1866), 246.

Louisiana had a numerous and weathly class of free Negroes whose general status as a whole was far better than anywhere else in the nation. In 1836 there were in New Orleans 855 free people of color who paid taxes on property with an assessed valuation of \$2,462,470 and owned 620 slaves. In 1860, the value of property of this class in the entire state was estimated at from \$13,000,000 to \$15,000,000. There were in the state many free colored planters "whose property in land and slaves was valued at from \$25,000 to \$150,000" each.¹⁸

Among the wealthy of this class were: Thomy Lafon of New Orleans who accumulated real estate valued at almost \$500,000; Cyprian Ricard who owned land and slaves worth \$225,000; Marie Metoyer of Natchitoches Parish who owned fifty slaves and more than 2,000 acres of land; Martin Donato of St. Landry who possessed 4,500 arpents of land, eighty-nine slaves and other personal property valued at \$46,000.19

The class, set apart from the slaves by freedom, wealth, and in many cases by education, educated its children by the same methods as the whites. A traveler going through the state met a wealthy, well educated free Negro family who spoke both English and French fluently. They had a private tutor to instruct their children.²⁰ Other wealthy colored families educated their children "in the best schools in France." The number of those who received a foreign education cannot be stated exactly but it is probably not much under 2,000. Among these were many who achieved prominence. Some became merchants, "transacting a wholesale business with the principal houses in France;" some were bankers or editors and others physicians with a "lucrative practice."²¹

Even under the revised "Black Code" the free people of color continued to accumulate wealth and to educate "their children in spite of opposition, for it is difficult to enforce laws against a race when you cannot find that race." Having means they could maintain their own schools as many did, and besides they "had access to parochial schools" or even the convents if they cared "to continue their education beyond the first communion."²²

¹⁸ Benjamin Brawley, A Short History of the American Negro (New York, 1913), 102-103.

¹⁰ Carter G. Woodson, The Negro in Our History (Washington, D. C., 1928), 248.
²⁰ Frederick L. Olmsted, A Journey in the Seaboard Slave States (New York, 1856), 641-642.

 ²¹ Willey, "Education of the Colored Population of Louisiana," loc. cit., XXXIII, 246.
 22 Alice Dunbar-Nelson, "People of Color in Louisiana," in The Journal of Negro History, II (1917), 65.

Among the earlier churches and convents established exclusively for this class was that at the Isle Brevelle, a settlement of numerous well-to-do free people of color, some miles below Natchitoches, on Cane River. A four-room house served a dual purpose. One room was used for a chapel. The others were occupied by two nuns, of the Daughters of the Cross order, who taught the catechism and the three R's to the girls. The boys were instructed in a nearby shack. Soon after this, probably in 1856, a new building to serve as church and convent was erected on land donated by the wealthy quadroon slave-owner, Augustin Metoyer.23 Descendants of these people still occupy this settlement and hold themselves aloof from those descended from slaves. At the present time they even refuse to work under the parish demonstration agent because of her slave ancestry.24

Annals of the Ursulines in New Orleans reveal that they, too, entered the field of private schools for free people of color. Two members of this order were sent, in 1831, to an establishment conducted by Miss Alliquot that they might maintain a school for free gens de couleur. This institution, located on St. Claude Street, was in operation until 1838.25

A distinct departure in educational and social work was begun with the organization of the Ecole des Orphelins Indigents. Here were free men and women of color making provision for the needy orphans of their own class. This first free school ever opened in the United States for colored children was founded in 1840 when a free woman of color, the Widow Bernard Couvent, left a legacy "in trust for the establishment and maintenance of this institution" which "has been in continuous operation ever since." Upon receipt of this bequest the influential free men of color organized the Catholic Society for the Instruction of Indigent Orphans for the purpose of establishing and supporting one or more schools for needy orphan children of both sexes. This society was "regularly incorporated according to the laws of the State" with power to hold and acquire property, expend money, regulate school affairs and to bind pupils out to learn some useful trade. Persons who contributed \$2.40 annually were considered directors.26

²³ Annie Lee West Stahl, "The Free Negro in Ante-Bellum Louisiana," (L. S. U. Thesis,

<sup>1934), 86.

24</sup> Interview with Mrs. T. J. Hadnot, white parish demonstration agent of Natchitoches.

25 Stahl, "The Free Negro in Ante-Bellum Louisiana," 87.

26 Willey, "Education of the Colored Population of Louisiana," loc. cit., XXXIII, 248; Dunbar-Nelson, "People of Color in Louisiana," loc. cit., II, 65.

An able corps of seven assistants, educated either in France or in Santo Domingo, worked under the leadership of Professor Arnaud Lanusse. The instruction, given in both English and French, was very good. Many children who were not orphans were "willing to pay a fee to obtain there the thorough education obtainable." Children read French and English readily, and some had mastered the principal rules of arithmetic and advanced as far as square and cube root.²⁷

Among the benefactors of this institution, which has long been of great value to the free people of color, were Aristide Mary, "a well-to-do Creole of color, who left \$5,000 for its support," and Thomy Lafon, the colored philanthropist. It has been supported by various other contributions, charitable collections, proceeds from balls and fairs and occasional grants from the legislature and the city government.²⁸

The secular schools, unlike those maintained by religious organizations, took great care to keep their presence unknown to the general public. As a rule they were "held in private houses, without any external appearance which would indicate that the building was used for educational purposes." Most of the schools were open to all pupils born free and able to pay the tuition. Some of the most fashionable, however, admitted only those whose "skin is tolerably well bleached with an admixture of Caucasian blood."29 In none of them was the presence of a slave tolerated. Mr. Bougille, a successful colored teacher in New Orleans, long before the Civil War, made no objection to admitting a "bright-looking boy, whose master and father solicited the favor of his attending school. . . . The respectability and standing of the father was a sufficient guarantee that no legal proceedings would result from the act." However, as soon as the slave's status was discovered, the other pupils decided to leave, for their parents would not allow them in the same room with a slave. The teacher compromised the matter by dismissing the slave boy and calling every day at his master's house to instruct him. The pupils then agreed to remain and the school went on as usual.30

²⁷ Willey, "Education of the Colored Population of Louisiana," loc. cit., XXXIII, 248; Daily Picayune, Sept. 29, 1892; Dunbar-Nelsen, "People of Color in Louisiana," loc. cit., II, 65.

²⁸ Dunbar-Nelson, "People of Color in Louisiana," loc. cit., II, 66.

²⁹ Willey, "Education of the Colored Population of Louisiana," loc. cit., XXXIII, 247.

so Ibid.

The following advertisement, inserted by G. Dorfeuille in the Louisiana Courier in 1813, is the only record this writer could find of open violation of the law:

I intend to establish a school for the education of colored children. Such an institution is entirely lacking in this portion of the country, and the enlighted persons who heretofore were desirous of having their children educated—I refer to the prudent colored people—were obliged to send them to the North. On them I depend for support. Eighteen or twenty pupils having been already promised, the school will be opened on Monday.³¹

In spite of the stringent laws opposing the education of the Negro, many "clandestine schools" existed in New Orleans before 1860.³² One of these at least did not last long. In 1859, John F. Cook came down from St. Louis and opened a school for free people of color. After one year of successful work "he was forced to leave, being warned by one John Parsons, a barber, who had been told by his white friends that Mr. Cook was to be arrested and detained." "Mr. Cook had violated two laws, he was an immigrant, and he had opened a school for free persons of color."³³

Secular schools were not confined to New Orleans. They were found in south and central Louisiana wherever there were large numbers of wealthy free people of color. Pointe Coupée had such a settlement where they had maintained their own schools for more than fifty years, with the result that out of almost two hundred families of color in that parish who had been free before the war, only one family was illiterate. The custom was to secure "rooms in the principal houses, and employ colored teachers during the whole year, the pupils paying a regular tuition fee."

For many years prior to the Civil War, the Grimble Bell school near Opelousas served that community of free people of color who had long been successful, wealthy planters and landowners. This school usually had an enrollment of about one hundred and twenty-five children instructed by four teachers. Fifteen dollars per month was charged for board and tuition.

³¹ Louisiana Courier, Jan. 13, 1813, quoted by John R. Ficklen, "History of Education in New Orleans," in Henry Rightor, ed., Standard History of New Orleans, Louisiana (Chicago, 1900), 285.

³² Loretta Funke, "The Negro in Education," in The Journal of Negro History, V

²² Loretta Funke, "The Negro in Education," in The Journal of Negro History, V (1920), 4.
23 Dunbar-Nelson, "People of Color in Louisiana," loc. cit., II, 65-66.

When it closed many of the children were sent to private schools in New Orleans. Baton Rouge also had schools for its free people of color.34

We see the beginnings of modern vocational education in the system of apprenticeship practiced from almost the beginning of the colony to the end of the 18th century. Among the trades open to boys were the following: barber, locksmith, carpenter, cobbler, cordwainer, goldsmith, gunsmith, hairfrizzler, harnessmaker, slater, tailor and tanner. In some cases the apprentice was also taught reading, writing and arithmetic.

Provisions of the contracts of apprenticeship varied. In general they were written agreements naming the parties concerned and stipulating the terms of the contract. The records of the French Superior Council and the Spanish Cabildo, Louisiana's colonial judicial bodies, contain frequent references to such contracts.35 The following cases of apprenticeship of Negroes in New Orleans reveal facts of interest.

In 1727 Laurent Chevirty, alias Vitry, a locksmith, agreed to teach his trade for three years to a slave belonging to the Company of the Indies. When the contract was filled and approved, he was to receive 400 livres. The following proviso was added:

Item, on arrival of the next slave ship, another negro will be intrusted to Mr. Vitry for the same purpose, but contingently on Vitry's own account, rated at 1000 livres. However, if second negro proves better skilled than the first, Company may claim the second slave.36

Francois Brunet, a blacksmith, agreed to teach his trade to a Negro belonging to Messrs. Assaily and Daunois for a term of four years for 150 livres. A proviso was inserted in the contract, to become effective in event the apprentice failed to prove apt during the first eighteen months of the term. 37

Madame Hoffman apprenticed a slave to Sieur Dupare for a stated period and a stipulated remuneration. The trade master was to teach the boy a trade and also instruct him in reading and writing. On the grounds of non-fulfillment of the contract Madame Hoffman sued for the return of the slave before the expiration of the period of apprenticeship.38

Willey, "Education of the Colored Population of Louisiana," loc cit., XXXIII, 248.
 Riley, "Development of Education in Louisiana," loc. cit., XIX, 619-620.
 "Records of the Superior Council of Louisiana," in Louisiana Historical Quarterly,
 IV (1921), 230-231.
 IV (1921), 270-231.
 Records of the Superior Council of Louisiana, No. 2484, Nov. 17, 1738, pp. 10, 612-613.

In 1770, the slave, with permission of her master, Andrés Jung, apprenticed her son, Bautista, a free mulatto, aged twelve, to Mr. Nicholas Lauve, a shoemaker, for four years to learn his trade. In addition to the boy's service the trade master was paid fifty pesos.39

According to an act of apprenticeship passed before Notary Garic, Father Dagobert placed a Negro named Antoine under the blacksmith, Jean Roy, for a term of three years. In return for teaching the trade to the slave and supplying him with food and shelter, the blacksmith was to receive 150 livres cash and an additional 150 livres at the end of the term of service. slave, on his part, promised to work faithfully and conscientiously and not to leave the master's service at any time without permission.40

Fiaire Ferrand Darblay, a naval officer, bequeathed 1000 livres to the son of Janton, deceased mulattress, to be placed in the hands of Father Dagobert who was to care for the boy and see that he was taught a trade.41

The contract entered into by Sieur Boré and Guillaume Boudon provided that the latter should reside on Boré's plantation "to operate and manage his sugar house and everything pertaining thereto; to manufacture tafia and rum for a period of three years and to train two negroes in such work during that time."42

Among other records of apprenticeship we learn that Slyvania Williams, a well known Negro teacher of New Orleans, educated by tutors and in the convent, learned her first English when she was apprenticed to a milliner.43

CHAPTER II

NEGRO EDUCATION UNDER THE FREEDMEN'S BUREAU

During the Civil War, as the Union armies pushed into the South, the slaveholders, in many instances, were forced to abandon their plantations and slaves. The Negro problem, thus created, was of necessity assumed by the Union army officers who met the emergency in different ways. General Sherman, after capturing Port Royal and the Sea Islands of South Carolina in 1861,

³⁶ Riley, "The Development of Education in Louisiana," loc. cit., XIX, 620.

Alegoria of the Superior Council of Louisiana, No. 8447, Aug. 29, 1763, pp. 70, 636.
 Becords of the Superior Council of Louisiana, No. 8447, Aug. 29, 1763, pp. 70, 636.
 Ibid., No. 8086, March 15, 1759, pp. 66, 805, 806-866.
 Ibid., No. 8472, Sept. 26, 1763, pp. 70, 737.
 Robert Meyer, "We Name Our Schools" (Unpublished MS., Howard Memorial Library, New Orleans), 68.

immediately applied to the government and to private philanthropists "for rations, clothing, and teachers for the 'hordes of uneducated, ignorant, improvident blacks'."1

General N. P. Banks, stationed in New Orleans as Commander of the Department of the Gulf, unlike General Sherman, seems not to have appealed for aid. In January, 1863, he created "on his own responsibility"2 a Committee of Enrollment that established the first public schools in Louisiana. Soon there were seven schools in operation, with an average attendance of 1422 pupils under a teaching force of twenty-three.3

Within a short time this temporary arrangement for educational work was followed by an elaborate system provided for in Banks' General Order No. 38, issued on March 22, 1864, which created a board "for the rudimental instruction of the freedmen."4 This board was ordered to establish one or more common schools in every district defined by the Provost Marshal; to purchase or otherwise acquire land for school sites; to erect school buildings where no proper ones existed; to employ teachers; to provide books ond other school supplies; to regulate the course of studies and to furnish each adult freedman with a library costing \$2.50, which amount to be deducted from the freedman's wages. Further, the board was empowered to levy a school tax of one and a half mills upon real and personal property, including crops of plantations. The tax was to be collected by the Parish Provost Marshal and turned over to the Board of Education. The plan thus imposed upon Louisiana has been called the first complete system of public schools in the South supported by taxation.6

A part of the board's intricate system of administration included weekly reports from the teachers, from which the "con-

9. S. Monroe N. Work, Negro Year Book, an Annual Encyclopedia of the Negro, 1916-1917 (Tuskegee, Ala., 1919), 224.

¹ Paul Skeels Pierce, The Freedmen's Bureau, a Chapter in the History of Reconstruction (The State University of Iowa Studies in Sociology, Economics, Politics and History, III, No. 1, Iowa City, 1904), 8.

² John R. Ficklen, History of Reconstruction in Louisiana (Through 1868) (Johns Hopkins University Studies in Historical and Political Science, XXVIII, No. 1, Baltimore, 1910), 74.

² Report of the Board of Education for Freedmen, Department of the Gulf, for the Year 1864 (New Orleans, 1865), 5.

⁴ Report of the Commissioner of Education for the Year 1900-1901 (Washington, 1902), I. 435.

More than twenty years prior to this time, General Banks, as "a rising young public man, had been appointed as the first general agent of the State board of education in Massachusetts." Hence we find him inaugurating "the New England idea of combining the academical and industrial elements in the schooling of the colored people in Louisiana." 10td., I, 436.

5 "Report of the Superintendent of Public Education," in Legislative Documents, Louisiana, 1864-1865, Appendix (Reports of State Officers, New Orleans, 1865), 188-189; Report of the Board of Education for Freedmen, Department of the Gulf, for the Year 1864, p. 5.

solidated tabular reports" were made for each month. And further:

A course of inspection was instituted by which each department of the schools in this vicinity, embracing Algiers, Gretna, Orleans and Jefferson parishes, is visited weekly and examined. The schools in the more distant parishes are inspected monthly owing to the difficulty of obtaining men qualified to be school inspectors, at the small salaries we pay. . . . The teachers report weekly, which with the correspondence maintained with the Provost Marshal, furnish the data to determine their progress.⁷

B. Rush Plumley, chairman of the board, reported that it was "scarcely possible to exaggerate the difficulty of establishing these schools in the country parishes," where the board had decided not to build schoolhouses but to make use of available accommodations. In many cases "cabins, sheds, unused houses were appropriated, roughly repaired, fitted with cheap stoves, . . . a window or two, . . . a teacher sent to the locality, the neighboring children gathered in and the school started." Northern women, employed as teachers, had great difficulty in obtaining boarding places. Many of them were forced to board themselves in "makeshift shelters" and compelled to live on the "coarsest diet." Occasionally the school was broken up and the teacher was driven off.8

Salaries of teachers varied from \$50 to \$75 per month. Financial difficulties caused delays in payment of salaries, but Plumley reported that teachers seldom had to wait more than two months, while the salaries of soldiers were often six to eight months in arrears.9

Irregularity of school attendance in the country was a cause of great concern, particularly during the winter when lack of suitable clothing and the want of heat in the makeshift buildings caused many absences. To make matters worse, a very malignant form of smallpox broke out during the year, resulting in the death of as high as thirty per cent of the children in some communities.¹⁰

Notwithstanding the many handicaps, the record reveals that the board had in nine months succeeded in gathering half of the

⁷Report of the Board of Education for Freedmen, Department of the Gulf, for the Year 1864, 6.

8 Ibid., 7.

⁹ Ibid., 11. ¹⁰ Ibid., 12-13.

juvenile population of the district under its instruction, and it reported that, "with the continued support of the military arm of the government, we hope to number on our rolls during the coming year all the colored children of suitable age, within our limits of military operation."11

Including the seven schools turned over by the Committee of Enrollment, there were in December, 1864, ninety-five schools which were proclaimed to be "no longer an experiment but a decided success," with 162 teachers and 9571 pupils in the following parishes: Orleans, Jefferson, Plaquemines, St. Bernard, St. Charles, St. James, Ascension, Iberville, Baton Rouge, Terrebonne, Lafourche, Assumption and St. Mary. In addition, there were over 2000 adults of both sexes being instructed in night and Sunday schools.12

Since January, 1863, definite proposals had been before Congress in regard to the establishment of a governmental agency to care for the needs of the freedmen.¹³ Finally, one month before the close of the war, an act was passed on March 3, 1865, authorizing President Lincoln to carry out a program of relief through a Bureau of Refugees, Freedmen and Abandoned Lands. This Bureau, attached to the War Department, was "to continue during the present war of rebellion, and for one year thereafter." To it was committed the

supervision and management of all abandoned lands, and the control of all subjects relating to refugees and freedmen under such rules and regulations as may be prescribed by the head of the bureau and approved by the President. The said bureau shall be under the management and control of a commissioner to be appointed by the President, by and with the advice and consent of the Senate. . . . 14

This organization assumed general guardianship over the Negro, with particular interest in his education and moral welfare. 15 General O. O. Howard of "unimpeachable integrity, con-

¹¹ Ibid., 16.

¹¹ Ibid., 16.

12 "Report of the State Superintendent of Public Education," in Legislative Documents, Louisiana, 1864-1865, Appendix, 187.

13 Pierce, The Freedmen's Bureau, 34.

14 William MacDonald, ed., Select Statutes and Other Documents Illustrative of the History of the United States, 1861-1898 (New York, 1903), 129-130; Congressional Globe, 38 Cong., 2 Sess., XXXV, Pt. 2, pp. 1348, 1402. This Bureau of "ill-fame" met opposition in the Senste. Senstor Lazarus W. Powell, of Kentucky, called it an "offensive bill" creating "a multitude of office-holders." Men who are to go "down there will be your broken-down politicians and your dilapidated preachers . . . that description of men who are too lazy to work and just a little too honest to steal." Ibid., 38 Cong., 2 Sess., XXXV, Pt. 2, pp. 1307-1308. 1308.

15 House Executive Documents, 39 Cong., 1 Sess., VIII, No. 70, pp. 46-47.

scientious, and religious; a man of rare executive ability and . . . not so radical as some," was made Commissioner of the Bureau. The only one of the ten assistants allowed him who was not an army officer was the Baptist minister, T. W. Conway, who had been serving as General Superintendent of freedmen's affairs. He was now appointed Commissioner for Louisiana. However, he was relieved in the summer of 1865 and Major General Absalom Baird was appointed.16

Regulations for the educational department of the Bureau provided:

The assistant commissioner will designate one or more of his agents as the general superintendent of schools—one for each State-for refugees and freedmen. This officer will work as much as possible in conjunction with State officers who may have school matters in charge. If a general system can be adopted for a State, it is well; but if not, he will at least take cognizance of all that is being done to educate refugees and freedmen, secure proper protection to schools and to teachers, promote method and efficiency, correspond with the benevolent agencies which are supplying his field, and aid the assistant commissioner in making his required reports.17

On June 2, 1865, President Johnson ordered officers of the United States to turn over to the Bureau "all property, funds, lands and records in any way connected with freedmen and refugees."18 And so the problem of Negro education, among other things, was assumed by this organization.

The Freedmen's Bureau Act made no specific financial provision for Negro education; consequently during the first year the educational operations of the Bureau were relatively unimportant. Still General Howard reported that

Though no appropriations had been granted by Congress for this purpose, by using the funds deprived from rents of "abandoned property", by fitting up for school-houses such government buildings as were no longer needed for military purposes, by giving transportation for teachers, books, and school furniture, and by granting subsistence, I was able to give material aid to all engaged in the educational work. 19

¹⁶ Appleton's Annual Cyclopedia and Register of Important Events of the Year 1865, V (New York, 1866), 371.

17 Ibid., 372-373.

18 J. L. M. Curry, Education of the Negro since 1860 (The John F. Slater Fund, Occasional Papers, No. 3, 1894), 12.

18 House Executive Documents 41 Cong., 2 Sess., VI, No. 142, p. 11. Although little was actually accomplished in the matter of Negro education by the Bureau, during the first year of its existence, this writer found the most glowing reports for this period.

The Bureau's educational policy, where Louisiana was concerned, was to take over and build upon the system of schools inaugurated by General Banks.²⁰ J. W. Alvord, Inspector of Schools and Finances for the Bureau, found this an "efficient system" and commented as follows:

I visited these schools, looked over their records, heard their recitations, saw their excellent discipline, became acquainted with the majority of their intelligent teachers, and feel safe in saying that while no State has had so large an organization, no one has exceeded Louisiana in the detailed perfection of their school system.21

Alvord found, at the time of his inspection, "in New Orleans alone nineteen large schools, employing one hundred and four teachers, with an average attendance of five thousand seven hundred and twenty-four pupils. More than fifty thousand colored pupils . . . have been taught to read in that city and immediate vicinity. . . . "22

The records reveal at this time a school of three hundred pupils in New Orleans, taught by

educated colored men, would bear comparison with any ordinary school at the north. Not only good reading and spelling were heard, but lessons at the black-board in arithmetic, recitations in geography and English grammar. Very creditable specimens of writing were shown, and all the older classes could read or recite as fluently in French as in English. This was a free school, wholly supported by the colored people of the city, and the children were from the common class of families.23

This first annual report showed there were in the entire state 141 schools for freedmen with 19,000 pupils wholly supported by the Bureau, with the following elaborate setup:

twelve directors, at a joint salary of \$1,225 per month; three special agents, at a joint salary of \$300 per month; five clerks, at a joint salary of \$470 per month; twelve principals, at a joint salary of \$1,350 per month; twenty-eight first assistants, at a joint salary of \$2,080 per month; thirty second assistants, at a joint salary of \$2,070 per month; eighty-nine primary teachers, at a joint salary of \$5,340 per month; city superintendents of New Orleans, at a joint salary of \$150 per month; one acting assistant superintendent. at a salary of \$100 per month; . . . two members of the board of examination, who receive five dollars per day while on duty, and eight janitors, who receive, each, from ten to twenty-five dollars per month. . . . 24

²⁰ Ibid.
21 Senate Executive Documents, 39 Cong., 1 Sess., II, No. 27, p. 112.
22 Ibid., 111. This report was made January 1, 1866.
23 House Executive Documents, 39 Cong., 1 Sess., VIII, No. 8, p. 343.
24 Ibid., 400.

With the cost of conducting the schools between \$17,000 and \$20,000 per month and a steadily decreasing income, it soon became evident that the schools would have to be discontinued unless assistance came from other sources.²⁵ With sufficient funds to pay the teachers up to January 31, 1866, the order to suspend the schools for freedmen became effective on that date.²⁶

"Strenuous efforts were then made" to put the schools "on a self-supporting basis." A tuition system was established in the cities whereby the children could attend school by paying from \$1.00 to \$1.50 per month. Negroes, however, finding they had to pay this nominal sum gradually dropped out and the schools were discontinued. No better results attended the efforts to provide schools in the country where

agents were instructed to insist upon provision being made in every contract for the maintenance of schools for the children of the laborers. This was carried out by having set aside from the monthly payment of the laborer fifty cents, which was applied to the payment of the teachers and the rents of school-houses; but by the advice of employers hostile to education of negroes, and in many cases from the indifference of the negroes themselves to the education of their children, numbers objected to paying this tax. The regulations governing this subject were then modified in such a way that where there was no school there was no tax collected; . . . where the laborers were unanimously averse to schools, no effort was made to establish them, it not being thought politic to force schools upon the freedmen. As a matter of course the schools languished, and were discontinued one by one.27

In some localities overflows, droughts and the consequent failure of crops further impoverished planter and laborer alike. The record also states that the "prevalence of cholera, and afterwards of yellow fever, has decreased the attendance materially. The picking season also had its effect. . . ."28

Of the new schools opened in the state by the Bureau from January 1 to October 1, 1866, only six were wholly supported by the Bureau, while 363 were to be financed by tuition and a tax on the wages of freedmen.²⁹ Alvord reported that "Much opposition has been encountered from those who do not believe in the eleva-

²⁵ Ibid., 400-401.

²⁶ Senate Executive Documents, 39 Cong., 2 Sess., I, No. 6, p. 74.

²⁷ Ibid., 74-75.

²⁸ Ibid., 75-76.

²⁹ Ibid., 77.

tion of the negro—the more, perhaps, as, by the labor order of General Banks, to obtain his services they were obliged to help pay for this education."³⁰

According to General Sheridan,

At this time the hostility to colored schools was so great that many acts of personal violence and insult were committed on the teachers, school-houses were burned, and pupils beaten and frightened. As the military force began to be withdrawn from the smaller places in the country, schools had to be discontinued for want of protection, as the civil authorities would do little or nothing to protect the freed people in the enjoyment of their rights, or punish the perpetrators of outrage where the injured party was a negro.³¹

In his official report, Sheridan makes the interesting assertion that "very little, if any, aid" had been extended to schools in Louisiana by benevolent associations at the North. In fact, he says,

It is not known that one dollar has been expended in this way during the past year, notwithstanding the repeated protestations of willingness, and apparent interference with the school department here, on the part of certain associations at the north.³²

A supplementary Freedmen's Bureau bill, enlarging the scope of the organization and making it permanent, was passed by Congress on February 6, 1866, but was vetoed by President Johnson.³³ "A bill of similar purport, but aiming to avoid the objections urged against the earlier act,"³⁴ was passed by Congress, was vetoed by the President on July 16, 1866, and was passed over his veto on the same day.³⁵ Section 12, of the new law, empowered the Commissioner of the Bureau to

seize, hold, use, lease, or sell all buildings and tenements, and any lands appertaining to the same, or otherwise, formerly held under color of title by the late so-called confederate states, . . . and to use the same or appropriate the proceeds derived therefrom to the education of the freed people; and whenever the bureau shall cease to exist, such of the said so-called confederate states as shall have made provision for the education of their citizens without distinction of color shall receive the sum remaining unexpended of such sales or

³⁰ House Executive Documents, 39 Cong., 1 Sess., VIII, No. 70, p. 339.

³¹ Senate Executive Documents, 39 Cong., 2 Sess., I, No. 6, p. 75.

^{**} Ibid., 76. XII (1932), 48.

²³ MacDonald, Select Statutes, 147; Daily Picayune, Feb. 21, 1866; The Americana,

³⁴ MacDonald, Select Statutes, 147.

³⁵ Congressional Globe, 39 Cong., 1 Sess., XXXVI, Pt. 5, pp. 3842, 3851.

rentals, which shall be distributed among said states for educational purposes in proportion to their population.

And Section 13 further provided that

the commissioner of this bureau shall at all times co-operate with private benevolent associations of citizens in aid of freedmen, and with agents and teachers, duly accredited and appointed by them, and shall hire or provide by lease buildings for purposes of education whenever such association shall, without cost to the government, provide suitable teachers and means of instruction; and he shall furnish such protection as may be required for the safe conduct of such schools.36

Bureau officials were gratified over the provisions of the new law. General Howard, who believed that "education is absolutely essential to the freedmen to fit them for their new duties," reported that the act "sanctioned all that had been previously done, and enlarged my powers."37 General Sheridan said that the "bill has given unity and system to these educational efforts, and a confidence that they will be permanent. This was greatly needed by the freedmen and their friends. . . . "38

In September, 1867, the City of Jefferson assumed charge of two schools previously established and conducted by the Bureau.39 In November of that year, Lieutenant J. M. Lee, Acting General Superintendent of Education for the Freedmen's Bureau, formally transferred the charge of its sixteen schools for Negro children in New Orleans to the control and direction of the then recently created Board of Public School Directors of that city. Furniture, books, etc., were also turned over to the Board.40 It was thought that the transfer of these schools to the educational department of the state government would bring about "organic unity" and aid in correcting "adverse sentiment" against the Bureau.41

A report made on January 30, 1869, by T. W. Conway, then State Superintendent of Education, acknowledged that "valuable aid has been rendered by the Freedmen's Bureau; 115 buildings furnished, and \$14,610.84 expended for rents, repairs, &c." Under the Bureau there were then "in operation 216 schools, with 259 teachers and 12,309 pupils."42 During the following year the

³⁶ MacDonald, Select Statutes, 149.

³⁸ MacDonald, Select Statutes, 149.
37 House Executive Documents, 41 Cong., 2 Sess., VI, No. 142, p. 11.
38 Ibid., 39 Cong., 2 Sess., III, No. 1, p. 176.
39 Report of the State Superintendent of Public Education for 1867 and 1868 (New Orleans, 1869), 10.
40 Ibid., 11-12; Daily Picayune, Nov., 7, 1867.
41 "Report of the State Superintendent of Public Education for 1869," in Legislative Documents, Louisiana, 1870, 22.
42 Report of the Commissioner of Education for the Year 1870 (Washington, 1875), 150.

Bureau expended \$26,873.83 for the erection, repair, etc., of buildings.⁴³ On January 1, 1869, the work of the Bureau, excepting its educational activities, was abandoned; and in 1870 this last phase was ordered to come to an end, though as a matter of fact "effort was put forth until the middle of the year 1871."44

Details regarding the actual accomplishment of the educational department of the Bureau in Louisiana are meager and conflicting, especially after the first year. The records for 1869-70 give the following report for Freedmen's Bureau schools in the state: 404 day and night schools, with 467 teachers and 17,280 pupils; 136 Sabbath schools with 266 teachers and 7,088 pupils. Two of the day schools were high or training schools, attended by 250 pupils.45

School funds having been entirely expended or promised prior to July, 1870, no further appropriations were made, "but old accounts and contracts for school buildings have been settled as far as possible. . . . As no material aid could be given no reports have been asked from the teachers."46

In one of his last reports on the educational work of the Bureau throughout the South, General Howard said:

Difficulties indeed still continue, arising from prejudice, indifference, want of means,-more especially during the last year; from political disturbances throughout the whole country, bringing into violent debate our cause and even the character of this Bureau, and also from agitation of the various unsettled southern questions on the subject of reconstruction. ... Organized opposition appears to have mainly ceased and favor toward schools for all, in most of the States, is publicly professed.47

Because of the political, social and economic conflicts back of the whole story of Reconstruction, we naturally find all manner of contradictory estimates of the Bureau's educational work. The following is an interesting view:

While much can doubtless be said in disparagement of this early effort to plant the common school in these conquered commonwealths without the consent of their leading classes

^{43 &}quot;Report of the State Superintendent of Public Education for 1869," in Legislative Documents, Louisiana, 1870, 21.

⁴⁴ Monroe, N. Work, Negro Year Book, 1925-26, 286.

⁴⁵ House Executive Documents, 41 Cong., 2 Sess., VI, No. 142, p. 24. ⁴⁶ Ibid., 42 Cong., 2 Sess., I, No. 1, Pt. 2, p. 451.

⁴⁷ Ibid., 41 Cong., 2 Sess., VI, No. 142, pp. 21-22.

of people who were still disfranchised, there is no doubt that much was accomplished in the way of awakening an interest in popular education. . . . It was a hazardous experiment to impose a complete school system like that in the North upon a people who never had enjoyed and were largely distrustful of it and to support it by taxation often absurdly beyond the means of the country. . . . 48

DuBois, himself a Negro, says of the Bureau:

The greatest success of the Freedmen's Bureau lay in the planting of the free school among Negroes, and the idea of free elementary education among all classes in the South. It not only called the schoolmistresses through the benevolent agencies, and built them schoolhouses, but it helped discover and support . . . apostles of human development. . . . 49

Fleming says that "Extravagant claims were made for Bureau schools;" that the Bureau's "principal work was to aid the schools established by the benevolent societies from the North or by individuals;" and that the "education given the negro was not suited to his needs."50

A Southerner, long connected with educational work and "personally acquainted with the character and condition of the negro and with the operations of the freedmen's bureau," reported that "What was done locally and individually was almost universally short-lived and in utter misapprehension of conditions and methods."51

Paul Skeels Pierce, an authority on the Freedmen's Bureau, says:

Many also who believed in negro education, considered that the schools under the supervision of the bureau did more harm than good, emphasizing the non-essential, fostering race prejudice, and inculcating false political notions.

Regardless of the negro's condition and history, an attempt was made to introduce a superficial, theoretical form of education.52

⁴⁸ A. D. Mayo, "Southern Women in the Recent Educational Movement in the South," Bureau of Education Circular of Information, No. 1 (Washington, 1892), 80-81. 49 W. E. B. DuBois, "The Freedmen's Bureau," in Atlantic Monthly LXXXVII (1901),

⁵⁰ W. L. Fleming, ed., Documents Relating to Reconstruction (Morgantown, W. Va., 1904), Nos. 6-7, p. 5.

⁵¹ Pierce, The Freedmen's Bureau, 84-85.

⁸³ Ibid., 82-85.

CHAPTER III

NEGRO EDUCATION UNDER THE PRESIDENTIAL AND CONGRESSIONAL PLANS OF RECONSTRUCTION

The system of public education worked out by General Banks for Louisiana had been taken over by the Freedmen's Bureau in the summer of 1865.1 This educational work of the Bureau went on in some of its phases until 1871.2 Meanwhile, Louisiana, under military pressure from the Federal government, had written a new chapter in her constitutional history with the Negro as the protagonist.

In April, 1864, a constitutional convention assembled at Liberty Hall in New Orleans on the day "fixed by the General Order of Maj. Gen. Nathaniel P. Banks, commanding the United States forces in the Department of the Gulf, . . . and also agreeably with the proclamation of his excellency Michael Hahn, governor of the State of Louisiana, . . . for the purpose of revising and amending the constitution."3

Shortly after the convening of this body an effort was made to have Banks' recent order establishing public schools for freedmen's children declared unconstitutional on the ground that it had been imposed without the consent of the people. However, the convention defeated the motion by a vote of 72 to 9.4

There was much diversity of opinion expressed when the question of providing Negro education first came before the convention. It was proposed to establish schools for whites to be supported by taxation imposed only upon the whites, and for Negro schools to be supported by taxation of the Negroes.⁵ Some weeks later it was agreed that there should be no separate taxation of the races, and Article 141 of the Constitution decreed that "The Legislature shall provide for the education of all children of the State, between the ages of six and eighteen years, by maintenance of free public schools by taxation or otherwise."6 And here we have the first constitutional provision for the education of the Negro in Louisiana.

¹ Curry, Education of the Negro since 1860, 12.

² Leavell, Philanthropy in Negro Education, 49.

³ Debates in the Convention for the Revision and Amendment of the Constitution of the State of Louisiana (New Orleans, 1864), 3.

⁴ Ibid., 33-34.

⁵ Official Journal of the Proceedings of the Convention for the Revision and Amendment of the Constitution of the State of Louisiana (New Orleans, 1864), 150. ment of the Cons

John McNair, who was State Superintendent of Public Education for Louisiana, 1863-1865,7 under appointment by the Federal government, in his report to the General Assembly, said:

By the constitution of 1864, freedom forever is guaranteed to the colored race of Louisiana. It also decrees that they and their children are to be educated. The task, therefore, of developing and establishing a new and untried enterprise in the history of the world, is laid upon her legislators; that is, to provide for the systematic and free education of the people but recently . . . delivered from the lash of the taskmaster 8

. . in organizing and putting in successful operation the schools for colored children throughout the State, your honorable body will perceive the necessity that will exist for a school official in each parish, who, by his presence and ability, shall be able to combat and remove long rooted prejudices, and by his executive tact and energy establish these schools. ... I confess I see much cause for anticipating trouble, possibly failure, in carrying out the noble purposes of the framers of the Free Constitution of 1864, in this department of our State Education, unless such a parish office be created and properly filled.9

On October 7, 1864, Governor Michael Hahn, in his message to the new legislature recently elected under the Constitution of 1864, thus addressed the members on the subject of Negro education:

It will be your duty to provide for the education of all children of the State, between certain ages, by the establishment and maintenance of public schools. Knowledge, which has heretofore been granted only to the white children of our State, will now be diffused among all children, without distinction of race or color; and I hope that in your legislation on this important subject, such provision will be made as shall secure to the black all the benefits of education vouchsafed to white persons. . . . Public schools for white children, carried on by the civil authorities, have been in existence and are in a flourishing condition in this city and some of the country parishes, while schools for colored children, established by the military authorities, are in successful operation in many localities. It will be the duty of the Legislature to extend over all its protection and care, and devise the rules of government for each class. . . . I cannot too earnestly or forcibly impress upon you the duty of giving this subject your most zealous and careful study.10

⁷ State Department of Education of Louisiana, Eighty-sixth Annual Report, for the Session 1934-35 (New Orleans, 1936), 5.

⁸ Legislative Documents, Louisiana, 1864-1865, Appendix, 173.

⁹ Ibid., 166. 10 New Orleans Times, Oct. 8, 1964.

However, in spite of the constitutional provisions and the governor's insistence that something be done for Negro education, no action was taken by the General Assembly.11 There was a Committee on Public Education that reported vaguely from time to time, promising that "a bill relative to the same would shortly be introduced in this House."12 Perhaps the reason for the Legislature's inactivity in this matter was the fact that the Louisiana Constitution of 1864 was "not yet regarded as the law of the land, and the dominant party demands that it be set aside."13 The provision in the constitution for the establishment of a system of public education "was premature work," and "The overwhelming public opinion of the white people of Louisiana was opposed to the public schooling of the Negro. . . . "14

Apparently the only official notice taken of the provision for "the education of all the children of the state between the ages of six and eighteen" seems to have been when Governor J. M. Wells called upon the assessors for an enumeration of all the educables. Reports of the Negro educables were received only from the following parishes: Caldwell, 426; Bossier, 1333; Ouachita, 517; Calcasieu, 523; Jefferson, 1408; Morehouse, 1129.15

Robert M. Lusher, a Democrat, was elected State Superintendent of Public Education on November 6, 1865,16 on one of the tickets headed by J. M. Wells, the "wily politician," for Governor. Lusher served until 1868.17 He is held in high regard to this day by Louisianians. Mr. T. H. Harris, late State Superintendent of Public Education in Louisiana, considered him "a man of learning, sterling character, and teaching power."18 As we study Lusher's report for the year 1866, it is obvious that his whole interest was in the education of white children. In fact, we fail to find any mention of Negro education.19

Prior to September 1, 1867, no provision for Negro education had been made by the local authorities of the state. The City of Jefferson then took the initiative "by assuming the charge of the

¹¹ Acts of Louisiana (1864-65), 178-183; files of New Orleans Times, October 1864 to

April 1865.

18 New Orleans Times, Nov. 18, 1864.

18 House Executive Documents, 39 Cong., 1 Sess., VIII, No. 70, p. 889.

11 Report of the Commissioner of Education for the Year 1900-1901 (Washington, 1902),

I, 436.

18 MS. Archives, L. S. U. Library.

16 Ficklen, Reconstruction in Louisiana, 111 note, 112.

17 State Department of Education of Louisiana, Eighty-sixth Annual Report, for the

Session 1934-35, 5.

18 Harris, Public Education in Louisiana, 22.

19 "Report of the State Superintendent of Public Education," in Legislative Documents, Louisiana, 1866, 1-30.

two schools, formerly established and conducted by the Bureau of Refugees, Freedmen and Abandoned Lands," and in addition, organized one more school. These three schools employed seven teachers.20

The Orleans Board of School Directors at about the same time appointed a committee of two members from each district "for the object of opening schools for the education of colored children."21 Editorial comment in the press urged public schools for the Negro:

The late Council appropriated \$60,000 for this purpose and authorized the Board of Directors of public schools to administer it. They should go to work to establish such schools at once and if they find the Council unwilling to trust them with this labor turn it over to such as will do it satisfactorily. The education of the black children should be attended to by our home people for their own good and that of the state; the effort should be made, however unfriendly it may be greeted.22

On October 3, 1867, the Common Council of the City of New Orleans passed an ordinance empowering the Board of School. Directors "to establish public schools for the education of colored children, to appoint the teachers thereto, and to perform such other acts as shall be necessary for the administration and government of the same," and for their "maintenance and support." The sum of \$70,000 was appropriated for the purpose.²³ The directors set to work immediately and a few days later the press carried the following announcement:

The attention of the colored people and of all who are interested in their welfare and especially in the education of their children is called to the opening of public schools for the latter on Monday next at the corner of Robertson and Customhouse Streets for boys and at 243 Rampart St. for girls. Pupils accompanied by their parents and guardians are requested to be present punctually at 9 A.M.24

Before the month was out the Howard, La Harpe and Sixth streets, and the Customhouse schools had also been opened by the New Orleans municipal board.25 Early in November sixteen

^{20 &}quot;Report of the State Superintendent of Public Education for 1867 and 1869," in Legislative Documents, Louisiana, 1869, 10.

21 Daily Picayune, Aug. 30, 1867.

22 Ibid., Sept. 4, 1867.

23 "Report of the State Superintendent of Public Education," in Legislative Documents, Louisiana, 1869, 10-11.

24 Daily Picayune, Oct. 12, 1867.

25 "Report of the State Superintendent of Public Education," in Legislative Documents, Louisiana, 1872, 321.

Freedmen's Bureau schools for Negro children had been transferred to the Board of Public School Directors.26

Superintendent Lusher did not make a report for the year 1867, undoubtedly due to the fact that conditions in Louisiana made any sort of constructive school work impossible. There was virtually no money, and there were few teachers and no public school organization in the rural parishes.27 However, Lusher's carpetbag successor, elected in 1868, took it upon himself to report for the year 1867. The report stated:

In the first place, the inefficiency of the present school law . . . has thus far secured the organization of but a very imperfect and unsatisfactory system, if indeed, it may be called a system, of public education, thereby giving, in most instances, but little matter to be reported. Secondly, the general disorganization attendant upon the fierce surgings of conflicting political sentiments had delayed the reports from many of the rural districts or prevented them altogether. Thirdly, careless, incompetent, and disinterested officials have not even taken the trouble to report what they have not done, there being nothing they have accomplished to require reporting.28

And further:

The school funds were still derived from the poll taxes and a one-mill state tax but the war had ruined the state and there was no wealth, no production. The people experienced great difficulty in keeping body and soul together—they were not able to pay taxes. The total school funds from all sources for 1867 amounted to only \$250,000—\$1.62 for each of the 103,500 educables. And yet at this time the cost per pupil in Negro public schools at New Orleans, chiefly of primary grade was \$18.76.29

Meanwhile in Washington, the radicals had gained a twothirds majority in both houses of Congress and had proceeded to carry out their ideas on the subject of reconstruction (as opposed to President Johnson's plan), in a series of acts passed between March 2 and July 19, 1867.30 And now, in Louisiana, the regime of the carpetbagger, the scalawag, and the Negro began in earnest.31

³¹ Harris, Public Education in Louisiana, 25.

On September 27 and 28, 1867, an election was held, under the Congressional plan of reconstruction, "to decide the question of holding a constitutional convention and to choose the delegates" to that convention.³² Between November 23, 1867, and March 7, 1868, a new constitution was duly framed,³³ which included the following educational provisions:

Art. 135. The General Assembly shall establish at least one free public school in every parish throughout the State, and shall provide for its support by taxation or otherwise. All children of this State, between the ages of six (6) and twentyone (21) shall be admitted to the public schools or other institutions of learning sustained or established by the State, in common, without distinction of race, color or previous condition. There shall be no separate schools or institutions of learning established exclusively for any race by the State of Louisiana.

Art. 136. No municipal corporation shall make any rules or regulations contrary to the spirit and intention of article one hundred and thirty-five (135).34

The new Constitution was ratified on April 17, 1868, at the same general election in which state officers were elected.³⁵ T. W. Conway, chosen State Superintendent of Public Education in that election, had served under General Banks in New Orleans as Chaplain of the 79th Regiment of United States Colored Infantry and later had been Assistant Commissioner of the Freedmen's Bureau for Louisiana.³⁶

A few days prior to the election the conservative or Democratic press thus expressed its views on Mr. Conway in no uncertain terms:

The Democrats have no candidate for the State office of Superintendent of Public Instruction. The nomination of Mr. Lusher, in the first instance, was very judicious. There is no more worthy citizen; and for this place his qualifications and experience render him the most proper man to be found in the State. The withdrawal of Mr. Lusher, who would in no event be prevailed upon to serve, leaves only two candidates, Mr. J. W. McDonald, of the parish of Claiborne, and T. W. Conway, who may not be fairly designated as of any place in Louisiana. His present habitation is the city of New Orleans.

³² Ficklen, Reconstruction in Louisiana, 193.
23 Official Journal of the Proceedings of the Convention for Framing a Constitution for the State of Louisiana (New Orleans, 1867-1868), 3-287.
24 Ibid., 306.

Ibid., 306.
 Daily Picayune, April 17, 1868.
 The Annual Cyclopaedia, 1887, 578.

We apprehend that it depends very much on the result of the election whether he remains here. He has been carrying his carpet-bag around from place to place as a Federal office-holder and general political emissary of Radicalism, till the general memory has lost the idea where to fix his domicile, and it has come to be generally suspected that he is prospecting about to find some good place in which to sit down, contented to stay so long as it pays.³⁷

In his first official report as State Superintendent of Public Education, Conway criticized the existing school law because directors and teachers could not be compelled under it "to discharge faithfully the duties devolving upon them." But he maintained that the very first thing the legislature should do in the matter of education was to give the Superintendent more power and an increase in salary.³⁸

Conway, regarded as a "fanatic" and a "meddlesome political agitator," had prepared a bill not only to carry into effect the provisions of Article 135 of the new constitution, the object of which, of course, was to establish mixed schools, but also to make attendance in such schools compulsory. That his proposed bill did not become law is interesting because it shows the attitude of the radicals in the legislature and out, and because it "aroused intense antagonism toward men of the type of Conway." The provisions of one section of the proposed bill were, as stated by the Daily Picayume:

. . . all children, between eight and fourteen years, shall attend school at least six months in each year; and if the parents or guardians, on being admonished, do not cause them so to attend, a justice of the peace may fine them to the extent of \$25 for the first offense, and \$50 for subsequent ones; and after three such admonitions, the State Board is authorized "to take such children or wards and give them instruction at least five months in each year, in such school or place of correction as shall be provided by the Board for that purpose," at the expense of the parents, if they are able to bear it.40

The Legislature attempted to force the whites and Negroes to attend the same schools by providing "That in each sub-district there shall be taught one or more schools for the instruction of youths between the ages of six and twenty-one;" and further:

²⁷ Daily Picayune, April 11, 1868.

²⁸ "Report of the State Superintendent of Public Education," in Legislative Documents, 1869, 14-15.

³⁹ Ficklen, Reconstruction in Louisiana, 207-208.

⁴⁰ Daily Picayune, Aug. 11, 1868. 41 Acts of Louisiana (1869), 178.

That any officer, school, municipal, parish or State, or any teacher of any public school who shall refuse to receive into any school any child between the ages of six and twenty-one years, who shall be lawfully entitled to admission into the same, . . . shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than one hundred nor more than five hundred dollars, and by imprisonment in the parish jail for not less than one month nor more than six months. . . . 42

The new law created a State Board of Education, composed of the State Superintendent, one member from each congressional district, and two members appointed at large. Each member received an annual salary of \$1000. This Board appointed parish, town and village boards. A district superintendent was appointed by the State Board in each of the six congressional districts, with a salary of \$2000 annually. Authority to issue teaching certificates gave these district superintendents complete control over the teaching force. Each parish was subdivided into districts according to the police jury wards, and each parish was required to support at least one school for a term of six months. A two-mill state tax was levied with distribution of the proceeds on the basis of the number of educables. Parish boards were required to distribute funds to the wards on the same basis. Police juries were empowered to levy school taxes up to a maximum of three mills.⁴³

The State Board of Education was now "to consist of the state superintendent and the six division superintendents, the latter appointed by the governor; the state superintendent was allowed a secretary at \$3,000.00 and traveling expenses of \$1,000.00." The minimum session was reduced to twelve weeks while "the millage that mass meetings of electors could levy was reduced to two mills." School districts, however, could vote taxes up to a maximum of ten mills. The New Orleans board was increased to eleven members, six being appointed by the State Board and five by the City Council. A secretary with a salary of \$1800 was provided for this board. The superintendent of the Sixth Division was the superintendent of the New Orleans schools.

Mr. T. H. Harris, late State Superintendent of Education, saw the following glaring defects in this system: First, it concentrated too much power in the hands of the governor; second,

⁴² Ibid., 188.

⁴⁸ Ibid., 175-189.

⁴⁴ Harris, Public Education in Louisiana, 27.

the district system, "which is bad enough at best," required that the school funds should be distributed "on the basis of the number of educables in each district," thus preventing the sparsely populated sections from having good schools; and third, no local supervision was provided for since there were no parish superintendents.45

Reports reveal that the appointment of the new board of school directors

was a work requiring time as well as the exercise of judgment. So much was seen to depend on the ability of the directors appointed and their disposition towards the law, that every appointment was closely scrutinized in the hope of securing school officers whose sympathies were enlisted in the cause of popular and impartial education.46

One historian of the period states that the "school system had become part of the political machine, as members of the legislature were usually members of the local boards."47 In 1875 an Alexandria newspaper called attention to the fact that every school board member at that place held another job. "John DeLacey was Post Master at Alexandria, George Y. Kelso was senator, J. Madison Wells was Public Administrator, and Crawford was a teacher."48 This system encouraged incompetency. We learn from the report of a division superintendent that "The School Directors seldom perform their duties; but I think they are very excusable for they have no means of knowing what their duties are." Another division superintendent remarked, "If you could only see whom we have for Directors, one-half of whom make their crosses to their signatures."49 A director from the sixth ward of Livingston Parish wrote for instructions "as how the school are to be conducted. it do not appear that there any More directors in the parish. Your obeadent servant. Member of the state bord of Education Henry Carter Cold. P.S. Please answer soon."50

According to the following contemporary reports, it appears that some of the school officials were very indifferent. Bossier Parish school directors "have appointed no ward directors, have drawn none of the public money to which their parish is entitled.

As Ibid., 28.
 Annual Report of the State Superintendent of Public Education for the Year 1870," in Legislative Documents, Louisiana, 1871, 5-6.
 Ella Lonn, Reconstruction in Louisiana after 1868 (New York, 1918), 356.
 Louisiana Democrat, Oct. 6, 1875, cited in William D. McKay, "History of Education in Rapides Parish, 1805-1915" (L. S. U. Thesis, 1936), 51.
 "Report of the State Superintendent of Public Education," in Legislative Documents, Louisiana, 1869, 18.
 MS. Archives, L. S. U. Library.

and, in short, have given the school work no attention whatever." In Caddo, "A portion of them came together once and 'resolved that they would do something after election', and there the matter dropped."51 In DeSoto, "They have done absolutely nothing—not even attempted to organize." The Grant school directors likewise held no meetings. As for Natchitoches, "The board has done absolutely nothing."52

School funds throughout this period were insufficient and mismanaged. Some of the school lands donated by Congress had been sold or rented but no remuneration received. Others had been "encroached upon" or "stripped of timber. . . . During the years 1867 and 1868 a large portion of the State School fund was lost, being in State notes, which were destroyed according to law."58 It was reported in 1868 that the state treasurer rendered no account of school funds after the month of April and "consequently none were apportioned. In 1869 the auditor, Mr. Wickliffe, either stole or accumulated school funds or allowed others to do so as has been proven by official investigation." No appropriations could be made before March, 1870.54

The following excerpts reveal some of the many fraudulent practices. From Greensburg, November 24, 1871, came a letter to the state treasurer saying:

This will inform you that our Schools are materially injured in consequence of our School Treasurer having gone to New Orleans and invested the School fund in goods and now refuses to pay the teachers for services rendered this year until he can make the Money out of the goods. 55

From St. Tammany came the report that "schools have remained closed. . . . the former treasurer . . . having absconded with about \$1,200 . . . leaving a heavy debt." The senator from Concordia embezzled \$30,000. Carroll was considered the "most unfortunate of any," as not only had the warrants on the accumulating fund amounting to \$26,444 beeen absorbed, but also the quarterly apportionments.56

^{51 &}quot;Annual Report of the State Superintendent of Public Education for the Year 1870," loc. cit., 89. 82 Ibid., 91, 93.

⁵³ Report of the Commissioner of Education for the Year 1870 (Washington, 1875), 150.
54 Annual Report of the State Superintendent of Public Education for the Year 1872 (New Orleans, 1873), 16. This report was made by William G. Brown who succeeded Conway in 1872.

55 MS. Archives, L. S. U. Library.

56 House Reports, 43 Cong., 2 Sess., No. 261, Pt. 3, p. 936.

In 1874 a newspaper correspondent wrote that Natchitoches Parish received in school funds "\$15,000 to \$20,000 annually, but there is only one school, a colored one"—with three teachers. Raford Blunt, a Negro state senator who could neither read nor write, was one of these teachers. He was also a member of the school board and had had himself appointed as a teacher.⁵⁷

From Plaquemines Parish came this report in 1871:
... the following statement, which, while it exhibits but a fraction of the frauds committed and amounts embezzled, reveals a condition of affairs disgraceful in the superlative degree to all concerned, and of the correctness of this statement I have the utmost proofs. ... Reported Paid \$4,846.05 Actually Paid \$2,005.00 Amount Embezzled \$2,841.05.58

The board of school directors at Brashear (Morgan City) informed Superintendent William C. Brown that the local treasurer, James H. Handy, failed to account for funds to the amount of \$622.95, and that "he has left for Texas, or parts unknown for more than a month leaving in Sufferance the payment of the just expenditures of the Schools, the Salary of teachers, and other necessary expenses "59

From the minutes of the board of public school directors of Jefferson Parish we find that in 1872 "J. H. Kingsley Secty & Treas of Said board has totally failed to perform the duties of his offices for the past five months and has failed to properly appropriate School funds drawn from the State treasurer." Miss Lonn states that "In Shreveport after 1872, \$40,000 was reported in the treasury, but nobody ever saw any statement of its disposition." St. James Parish officials at least were more careful not to leave evidence of defalcations, for "the board had burned the records, while the president fled the State while on bail for fraud." 1911

Superintendent T. W. Conway complained that

Some embarrassment and much injustice has been occasioned by inaccuracy in enumerating children of educable age by tax collectors and assessors in many of the parishes. The duty, in some cases, appears to have been entirely

 ⁵⁷ Henry E. Chambers, A History of Louisiana (Chicago, 1925), I, 678-679.
 ⁶³ W. L. Fleming, ed., Documentary History of Reconstruction, Political, Military, Social, Religious, Educational and Industrial, 1865 to the Present Time (Cleveland, 1906-1907), II, 198-199.

 ^{198-199.} MS. Archives, L. S. U. Library.
 Minutes of the Board of Public School Directors of the Parish of Jefferson, Right Bank, Aug. 30, 1872 (MS. Archives, L. S. U. Library).
 Lonn, Reconstruction in Louisiana, 356.

neglected and mere guesses, guided by no intelligence, have been substituted for the enumeration required by law.62

A table accompanying the above report reveals in most instances wide discrepancies between the census returns and the "mere guesses." The following excerpt from this table will serve to illustrate:63

	Enumeration			
Parish	District	by Assessor	Census	
Jefferson	Carrollton	1,119	1,414	
Jefferson	First Ward	827	307	
Jefferson	Third Ward	3,061	92	
Jefferson	Fourth Ward	1,065	168	
Jefferson	· Fifth Ward	82	220	
Lafourche	Third Ward	485	1,163	
Terrebonne	First Ward	797	259	
Terrebonne	Ninth Ward	865	223	

Since the school funds were apportioned on the basis of the number of educables, such inaccuracies led to great injustices.

With many of the school directors "uneducated and, consequently, incompetent to judge of the requirements of applicants," the teachers employed were generally "scholastically bad and morally worse."64 Evidences of the justice of the former criticism are numerous. Note the following extract from a speech made by a member of the Legislature who later became a teacher:

Mr. Spaker, I ask the unimus consent of the house to rise to a question of privilege. I find in one of the issures of the Times last week a burlest on one of my canstituent which was takened from a private letter addressed to my collegue who occupies a seat on this floor. . . . he acted very injustice with one of his canstituents which he stands here to represent, end not only don injustice to his canstituents he have I consider Mr. Spaker have shone a disrespecte this heaverbal body. . . . 65

From New Iberia in 1871 a teacher wrote as follows:

Daily School Register We have none at present the one that I have are filled out which are been in survice for Three Years & it puts me to a great deal of Trouble. Please dont fail in sending it because well have not any at all that haven been used a great deal by other Teachers.66

^{63 &}quot;Report of the State Superintendent of Public Education," in Legislative Documents,

^{64 &}quot;Report of the State Superintendent of Public Education," in Legislative Documents, Louisiana, 1869, 18.
65 Lonn, Reconstruction in Louisiana, 81n.

⁶⁶ MS. Archives, L. S. U. Library.

An applicant from Bienville Parish wrote the Superintendent of Public Education, asking what is

nesessxary or requisit in filling that or gitting the place as a teacher. . . . I was advised to refer to your honor that you was the Right Person and with your appointment on imploying I would be safe in takein a School of that kind I suppose the. Reason I have not got a school is from Predudice held on account of Politics in public affairs I have been teaching School about 35 years I have taught befor and ever since the Public Sistom has bin in vogue another reason I have not obtained a school is because I agree to teach black children. ... I purpose doing and taking the same pains to educate or learn them as if white if it be necessary or requisit I can forward 30 white men responsitee to the same there are 95 coulered free men that came forward and subscribed there names as pertitioners requireing and asking me to take there school last year and again this present year teach school for them they have built a school house themselves a very large house with accomodations a chimney to have a fire and they have 97 children between 6 and 16 within 5 miles of there house that is built.67

Available records do not reveal so much relative to the moral status of the teachers. We do, however, find that teachers were known to sublet their schools at one-fourth the amount of their salaries.68 In 1871 Mr. I. Coleman, though secretary and treasurer of the school board, contracted to teach a colored school. He, however, "farmed the school out" to an "ignorant colored man" at a profit of one hundred dollars per month. 69 The teaching situation at this time was summed up by a later superintendent, who said, "instruction received but little attention, the schools were nominally kept going, and upstarts and scallawags filled their pockets with dollars instead of the children's heads with learning."70

The constitutional provision of 1868 for mixed schools, followed by the act of 1869, could lead only to trouble in a state so torn with radical and political dissension as was Louisiana at that period. Superintendent Conway, who would have made attendance in the mixed schools compulsory, admitted in his first official report on the subject that the "particular feature of the law which provides for compulsory mixed schools renders the

er Ibid.

Obd.
 House Reports, 43 Cong., 2 Sess., No. 261, Pt. 1, p. 145.
 MS. Archives, L. S. U. Library.
 Biennial Report of the State Superintendent of Public Education, 1898-1899 (Baton Rouge, 1900), 76.

whole system obnoxious. The law should be amended so as to allow liberty of choice."71 He further reported:

Not only have we . . . to build the whole system anew, and to do this in the face of that general apathy, rising at times to positive antagonism, . . . but that provision of our Constitution which forbids the establishment of public schools from which any child shall be rejected, on account of race, color or previous condition, excites a determined opposition on the part of many, who would otherwise co-operate in the opening of schools and in the raising of funds for their support. . . .

It was irrational to overlook the fact that this active antagonism of so large a portion of the white population of the State is a formidable hindrance to our school work. 72

The following year the Superintendent reported that the former "slaveholding aristocracy," who from the first bitterly opposed this plan, now

accepted the fact because they could not prevent, and in many instances are now apparently lending their interests and influence cheerfully to the establishment of schools for the colored people, but they do not themselves send—they prefer rather as always before to educate their children in private institutions. . . . 73

As to the poor whites, they refused to apply for admission even though "good schools, attended by colored children, have flourished right among them for upward of two years."74

In many sections of the state the problem was solved as suggested by the press of New Iberia. There it was proposed that the directors arrange to open schools "for the white and colored children, separately, without delay. . . . we have it from a good source that the colored people of our parish do not want mixed schools. . . . "75

Evidently mixed schools were not pleasing to the thoughtful class of colored people. One of these wrote Conway that "the majority of the republicans of this city were very well pleased with the [old] cistum of the public schools," that

both black and white were purfectly satisfied and all classes of children were learning.... infact plainly speaking no sensible men wishes to mix the schools. it is only some infamous men like Thomas W. Conway. . . . already the colored

⁷¹ Report of the Commissioner of Education for the Year 1870, 150.

⁷³ Annual Report of the State Superintendent of Public Education for the Year 1870,

⁷⁸ Ibid., 1871, p. 119. 74 Ibid., 120. 78 Ibid., 205.

people of this state are beginning to see the position taken by a few such as yourself and have come to the conclusion that you are becoming our most bitter enemies. . . . Your course is purely designed to make the entire community turn against us and without substantial white people of the south we cannot get along.⁷⁶

The Superintendent himself reported that "As a rule, the children have chosen to attend schools made up principally of those of their own race, and their parents have preferred they should. Yet in many of the schools white and colored pupils may be seen together. . . ."⁷⁷

Mr. T. H. Harris stated that

White and negro parents would agree among themselves that only white children would attend certain schools, while only negro children would attend certain other schools; if only one school were provided in a community, the white people would not patronize it . . .; occasionally, separate rooms were provided in the same school for the two races; and, now and then, negro children were prevented from attending certain schools, even though such action resulted in breaking up the schools. It seems fairly certain that there were no mixed schools in the country parishes. . . . ⁷⁸

Statistics on the actual number of mixed schools or on the numbers of blacks and whites that attended such schools are impossible to find. The annual reports of the State Superintendent of Public Education list the number of schools in a given locality and the total number of pupils enrolled, without indicating whether white or black children or both attended. Mr. Harris concluded that, while it is almost certain there were no mixed schools in the country parishes, there may have been a few in New Orleans. For the most part, the Negroes attending these were octoroons. P. B. S. Pinchback, the Negro lieutenant-governor of Louisiana, "forced his son into one of the white schools." There is evidence, also, that a few octoroons were employed as teachers in white schools in New Orleans, and that white teachers were often assigned to Negro schools.

This writer found only one report in which a school was admittedly a mixed school—that is, the report indicates the number of whites and of blacks attending. The report follows:80

⁷⁶ MS. Archives, L. S. U. Library. a 77 Annual Report of the State Superintendent of Public Education for the Year 1871,

⁷⁸ Harris, Public Education in Louisiana, 30-31.

^{*} MS. Archives, L. S. U. Library.

SPECIAL REPORT NO. 1 CLAIBORNE BOYS' SCHOOL

Teachers Rank of Teacher Sex	Salary		Avg. D. Attend.	
Ed Hart, Principal, M	31500.00	26	23	4
Mrs. E. Prados, 1st Asst., F	1000.00	30	25	9
Miss A. Finch, 1 Asst., F	1000.00	36	29	6
Miss L. Conwell, 2nd Asst., F	660.00	37	29	17
Miss C. Stuart, 2nd Asst., F	660.00	36	32	16
Miss M. O'Brien, 3rd Asst., F	600.00	41	36	16
Mrs. M. Westerfield, 3rd Asst., F	600.00	39	37	18
Miss J. L. Del Frigo, 3rd Asst., F	600.00	44	36	13
				_
	6620.00	289	241	99

WILLIAM G. BROWN

State Superintendent of Public Education,

166 Julia Street, New Orleans.

The mixed school situation in New Orleans came to a crisis in December, 1874. On November 18, 1874, an announcement was published by Mr. Boothby, the Superintendent of Public Education of the Sixth Division, setting dates when pupils finishing the intermediate grades in the different city schools were to present themselves for examination and admission into the high schools. The announcement appears to have been a routine affair, for certain schools, among these the Upper Girls' High School, had been kept "white" throughout the regime of mixed schools. However, on December 14, 1874, while the principal of the Upper Girls' High School, Mrs. M. E. McDonald, was busy with the senior class—they were to be graduated on December 23—she was amazed to see "a big buxom colored woman, backed up by ten gingerbread and one coal black negress," walk into the room and gaze around "defiantly." The "female," as the Daily Picayune referred to the Negress in charge of the group, presented a slip to Mrs. McDonald, bearing the names of the colored girls who wanted admission into the school. The girls of the graduating class were "alarmed and outraged at this unparalleled insult," and because such a tumult resulted they were dismissed by the principal. Instead of going to their homes, they assembled in a nearby residence and drew up a petition, protesting against the "mixing" of their school and refusing to accept their diplomas until the matter

was settled and the school definitely "unmixed." The junior and first year classes also refused to attend school until the matter was settled. Mrs. McDonald sent for Mr. Boothby, who managed to produce "semi-harmony" for the time being. In the afternoon a large crowd of Negroes gathered around the school and said "they were Tenth Ward niggers and meant blood". Later, though, when relatives of the white pupils of the school arrived on the scene, the Negroes scattered.

As a matter of fact, Boothby could take no action in the matter, since he was bound by instructions from the school board. On the following day he was beset by a crowd of men, taken to the Upper Girls' High School, and made to apologize for some of the words he had used the day before. Further, he was forced to sign a document in which he pledged himself "to prevent the occurrence of any [similar] event..."

The situation then seems to have been taken over by the pupils of the Boys' High School. Apparently with no suggestion from any teacher or official they took matters into their own hands and drove off a dozen Negro boys who presented themselves for admittance into their school. They then made a tour of the city, in more or less orderly fashion, and ejected all Negroes from all the schools they visited.

Meanwhile, two Democratic papers of the city—the Daily Picayune and the New Orleans Bulletin—had taken up the issue and were running editorials and accounts of the affair. Boothby was characterized as "the sanctimonious little dandy ex-tailor, who plays the part of a superintendent of the city schools." William G. Brown was accused of using the schools for "political and partisan purposes," in that he was undoubtedly carrying out part of the plan of the Radicals in Washington to recover their losses in the recent election. On the other hand, Brown blamed the Democratic press, through their editorial policy, of being at the bottom of the whole embroglio. In any case, the mixed schools issue was settled in New Orleans.⁸¹

It is difficult to determine just what was accomplished in Negro education during this turbulent period, from 1868 to 1876, under the administrations of Thomas W. Conway and William G. Brown, the mulatto West Indian, who was characterized by the

of Harris, Public Education in Louisiana, 43-48; Report of the State Superintendent of Public Education for the Year 1874 (New Orleans, 1875), pp. xllx-lxxxvi; Daily Picayune, Dec. 15, 16, 17, 18, 1874.

press as a drunken, incapable politician.82 Reports are incomplete: some merely list the number of educables: Negro and white statistics in most instances were not separated and but few reports on mixed schools are available.

In New Orleans, in 1869, sixteen schools exclusively for Negroes were reported as having fifty-nine teachers and an average attendance of 3,050 pupils, for which \$46,620 was spent for teachers' salaries, \$10,776 for rents of school buildings, \$3,600 for wages of portresses, and \$1,004 for coal, books and other supplies.83. At the same time, fifteen private schools for free colored people were listed in the city.84 We learn that, "owing to the unfortunate condition of things in the past, outside of New Orleans, there are comparatively no school-houses, nor public schools, even for the whites."85 Plaquemines Parish schools "closed for want of funds."86 In Pointe Coupée there were no schools and no account was rendered of school funds.87 Rapides reported 3,490 educables, thirty-two directors appointed but only one accepted, and no schools.88 The report from Catahoula varied in form at least, for it stated. "I... do not know that there is a school in the parish." 89

Conditions seem a little better for the following year, for we find two colored schools in Baton Rouge. Iberville had eight schools with "eight hundred colored pupils receiving free instruction in all the branches of a business education."90 In St. Landry, "Ample accommodations and able teachers are provided for both white and colored children. Additional schools for the latter are proposed for Prairie Laurent, Grand Coteau and Waxia."91 Sabine, "Through some fault of the board of school directors," had "no public schools."92

O. Bery Morgan, teacher in District Three of Assumption Parish, gave the following information in his monthly report of August 4, 1871, to the division superintendent: Ninety pupils (colored); teacher's salary, \$75 per month; term, four months; number of visits by division superintendent, none; condition of

 ⁸² Daily Picayune, Nov. 18, 1874; New Orleans Item, June 11, 1937.
 ⁸³ "Report of the State Superintendent of Public Education," in Legislative Documents, Louisiana, 1870, 70-71.

⁸⁴ Ibid., 27. 85 Ibid., 21.

⁸⁶ Ibid., 30. 87 Ibid., 39.

⁸⁸ Ibid., 51.

⁸⁰ Ibid., 52.

⁹⁰ Annual Report of the State Superintendent of Public Education for the Year 1871, 201, 206.

¹ Ibid., 208.

⁹² Ibid., 237.

schoolhouse, "nothing extra." Remarks: "I have a very flourishing Sunday School of about fifty. . . . My night school now numbers fifty-six, I think this will do more good than anything else here. It is good seed sown. Let us be ready for the harvest."93

The quarterly report for the school at Natchitoches was made on March 31, 1871, by Raford Blunt, secretary of the board of school directors, who was also state senator, member of the school board and principal of the school. The report gives the following data: Three teachers with salaries of \$100, \$75, and \$50, respectively; term eight months; 142 pupils (colored); visits by directors, one, by division superintendent, none; textbooks-McGuffy's Readers, Webster's Speller, Smith's Geography, Smith's Arithmetic, Butler's Grammar and Webster's Dictionary.94

A two-teacher school at Albermarle, Assumption Parish, was reported in May, 1872, as having eighty colored pupils (no whites).95 The Echeverina School in this same parish, taught by O. Bery Morgan in 1872, at a salary of \$65, had an enrollment of eighty pupils (colored). Rogers reported, "the reason I do not have more advanced classes is as soon as a child can read in the third readers its parents take it from school to work in the field and let the younger one come." His school was "well sustained" by the patrons, "considering there's poverty and inability to spare their children." The division superintendent had not visited his school.96 Claiborne Parish had one Negro school in 1872.97

This same year, Mollire School at Paincourtville, Assumption Parish, had two teachers with salaries of \$65 and \$55, respectively. The schoolhouse was "comfortable for the season," and the pupils "becoming more studious but improving slowly" and "progress has been retarded for lack of books and school apparatus."98

St. James Parish had fifteen schools operated for six months during 1874. None of these was attended by whites. The "colored people, ignorant of, or indifferent, to a great extent, to the advantages of an education; unable to buy books or clothe their children decently . . . pass the subject by as one of but little concern to them and of comparatively little importance."99 In September of

⁹⁸ MS. Archives, L. S. U. Library.

⁹⁷ Annual Report of the State Superintendent of Public Education for the Year 1872, 49.
98 MS. Archives, L. S. U. Library.
99 Annual Report of the State Superintendent of Public Education for the Year 1874,

this same year the eighteen schools of Natchitoches Parish were suspended "by the action of a body of men who, by word and action, compelled the resignation of the most of the school board and without authority of law. The board at this date is not organized, nor can the members thus compelled to resign act in the capacity of directors. No public schools in the parish . . . are in operation at present on account of the unsettled state of affairs in that section." From St. Bernard came the report that there were no public schools in that parish in 1875 and but one private school. 101

J. L. M. Curry speaks of this entire period of reconstruction over the South as

The Saturnalia of misgovernment, the greatest possible hindrance to the progress of the freedmen, an immitigable curse, the malignant attempt to use the Negro voter as a power in the corrupt game of manufacturing members of Congress. The education was unsettling, demoralizing, pandered to a wild frenzy for schools as a quick method of reversing social and political conditions. . . . But with deliberate purpose to subject the Southern States to Negro domination, and secure the states permanently for partisan ends. The education adopted was contrary to common sense, to human experience, to all noble purposes. The curriculum was for a people in the highest degree of civilization: the aptitudes, capabilities and needs of the Negro were wholly disregarded. Especial stress was laid on classics and liberal culture to bring the race per saltum to the same plane with their former masters.102

Reconstruction in Louisiana did not end until after the famous contested election of 1876 and the subsequent elevation of Francis T. Nicholls to the governorship of the state. As soon as the Democrats had things in their hands, a law was passed in 1877 revising the school system to suit their views.¹⁰³

¹⁰⁰ Ibid., 99.

¹⁰¹ Annual Report of the State Superintendent of Public Education for the Year 1875 (New Orleans, 1876), 237.

¹⁰² J. L. M. Curry, "Race Problems of the South," in Report of the Proceedings of the First Annual Conference Held under the Auspices of the Southern Society for Promotion of the Study of Race Conditions and Problems in the South (Richmond, Va., 1900), 223.
103 Harris, Public Education in Louisiana, 51.

CHAPTER IV

INSTITUTIONS OF HIGHER LEARNING

Introduction

While the Civil War continued and for some time thereafter. Negro education was essentially of an elementary character. In Louisiana, by 1869, however, the attention of the Freedmen's Bureau and of certain religious agencies was turned to higher education for the Negro. Undoubtedly one of the chief aims of the movement was the training of home teachers for the elementary schools, thus avoiding the necessity of importing teachers from the North.

The American Missionary Association was one of the first of these religious organizations to undertake higher educational work among the Negroes in Louisiana.1 The Association, at the beginning of the war, was non-denominational, but gradually came to be controlled by the Congregationalists. It was responsible for the establishment of Straight University in New Orleans, "the pioneer school in the lower South in offering to the emancipated race the opportunity for education leavened with the spirit of the gospel."2

The Freedmen's Aid Society of the Methodist Episcopal Church, the American Baptist Home Mission Society, and other similar groups established so-called universities, colleges and academies in Louisiana, several of which to this day "constitute the . . . strongest private and independent higher institutions" for Negroes in the state.3

In 1916, Dr. Thomas Jesse Jones, who had been selected to conduct a nation-wide survey of the private and higher schools for Negroes, listed sixty-four private schools in Louisiana, fiftyseven of which were denominational, and the other seven independent. Dr. Jones, however, considered that only thirteen of these "form an important part of the educational activities of the State."4

Southern University

The one contribution to the higher education of the Negro, on the part of the State of Louisiana, was the establishment and

Leavell, Philanthropy in Negro Education, 31.
 Dillard University Bulletin, Catalog for 1935-36 (New Orleans), 3.
 Leavell, Philanthropy in Negro Education, 55.
 Thomas Jesse Jones, Negro Education, A Study of the Private and Higher Schools for Colored People in the United States (United States Bureau of Education Bulletin, 1916, Nos. 38-39, Washington, 1917), II, 285.

maintenance of Southern University. As a result of the efforts of P. B. S. Pinchback of New Orleans, T. T. Allain of Iberville, and Henry Dumas of St. John the Baptist in the Constitutional Convention of 1879, provision was made in Article 231 of the constitution for the establishment of the first state-supported school for the higher education of Negroes.5

Act No. 87 of the General Assembly of 1880 provided "That there shall be established in the city of New Orleans a university for the education of persons of color, to be named and entitled the 'Southern University'." It was to be governed by a "board of trustees, to be composed of twelve members, selected from the several congressional districts equally, who shall be appointed by the Governor, by and with the consent of the Senate; provided, that at least four of said board of twelve shall be appointed from the colored race." The board was empowered to select a "faculty of arts and letters, which shall be competent to instruct in every branch of a liberal education, and under rules of and in concurrence with the board of trustees, to graduate students and grant all degrees appertaining to letters and art known to universities and colleges in Europe and America, on persons competent and deserving the same."6

The Legislature in providing for the school failed to make any appropriation for a building. The trustees therefore did about the only thing they could under the circumstances, and purchased a building with money appropriated for teachers' salaries. This meant that a number of teachers had to be dispensed with.7

The board established the institution on Calliope Street⁸ and work was begun in January, 1881. A "considerable number of students" enrolled "but, from the fact that it was without funds and that its trustees were unwilling to sacrifice at a ruinous discount the warrants of the State which constituted it only assets," the school was closed in June. Even "the property" bought "for its use was in danger of being sacrificed." Records do not reveal how the financial difficulties were overcome. The school evidently went on, for the report states that "After two years of operation,

^{*} Catalogue of Southern University and Agricultural and Mechanical College, 1931-1932 (Baton Rouge, 1932), 12.

* Acts of Louisiana (1880), 110-111.

* Alcée Fortier, ed., Louisiana, Comprising Sketches of Parishes, Towns, Events, Institutions, and Persons, Arranged in Cyclopedic Form (Atlanta, 1909), II, 472-473.

* Catalogue of Southern University and Agricultural and Mechanical College, 1931-1932, 12.

Report of the Commissioner of Education for the Year 1881 (Washington, 1883), 89.

it was reorganized and through a constitutional provision it became entitled to an annual appropriation of \$10,000."10

Further "impetus was given to the school in 1883 by the election of Rev. J. H. Harrison of Vanderbilt University, Tennessee, to the presidency of the faculty." In the three years of his administration the total enrollment was 860. During the latter part of 1886 "an arrangment was made with the officers of the New Orleans public schools by which those colored pupils who completed the common-school grammar course were transferred to the highschool department of the university."11

In the same year the Legislature made a special appropriation of \$14,000 for a change of location and the erection of new buildings. The property on Calliope Street, being too small to care for the program of expansion, was sold and a "whole square" on Magazine and Soniat streets was bought. The new university building, a large brick structure and one of the finest school buildings in the city, was opened in March, 1887. A report, speaking of this, the first building erected in the state for the education of Negroes, 12 says: "The doric columns and the gothic arches, the marble entrance, and the beautiful galleries adorning the front render the building very conpicuous."13

We learn that the institution "was intended to supplement the public schools by offering college instruction and industrial and normal training under conditions calculated to stimulate the desire for thorough classical and practical education among the colored people of the State." However, "under the pressure of local necessities," much high school and primary work was done in the early years of the university's existence. But each year, as the pupils advanced, the lowest grade was dropped from the school proper, and at the end of nine or ten years the seventh was the lowest grade.14 Pupils below this grade applying for admission from private schools were accepted on a tuition basis and taught by normal graduates of the institution. These lower grades, therefore, served as a practice school for the normal department which had graduated nine students up to 1889. One of the main objects of the school was "to furnish trained home teachers for the instruction of their race."15

¹⁰ Arthur D. Klein, Survey of Negro Colleges and Universities (United States Bureau of Education Bulletin, 1923, No. 7, Washington, 1929), 390.

11 Fay, History of Education in Louisiana, 117.

12 Fortier, Louisiana (cyclopedic), II, 473.

13 Fay, History of Education in Louisiana, 118.

14 Ibid.

¹⁵ Ibid., 120.

The industrial work done by the school was of a very practical nature. Due to lack of equipment, industrial training for girls was confined to sewing. Mechanical work for the boys was carried on in well-equipped shops. In 1895 the Legislature appropriated \$8000 for the purchase of "a farm of over 100 acres of tillable land" which was soon well stocked with teams, dairy cattle, hogs and implements. Dormitories and recitation rooms were also provided. 16 Extension of this industrial education was made possible in 1890 through an act of Congress which specified that the colored population of each state was to have an equitable proportion of the land-grant to each state. Among the provisions were:

That there shall be, . . . annually appropriated, out of any money . . . arising from the sales of public lands . . . , to each State and Territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanical arts, . . . the sum of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase . . . of one thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be twenty-five thousand dollars to be applied only to instruction in the mechanical arts, the English language and the various branches of mathematical, physical, natural and economic science, with special reference to their applications in the industries of life, and to the facilities for such instruction: Provided, That no money shall be paid . . . out for the support and maintenance of a college where a distinction of race or color was made in the admission of students, but the establishment and maintenance of such college separately for white and colored students shall be held to be a compliance with the provisions of this act if the funds received . . . be equitably divided 17

Southern University "was selected by the State to be the land-grant college" for Negro youths, under the terms of the Morrill Act. 18 A subsequent act of Congress, passed in 1907, "made a fresh grant" which gave this and other land-grant schools "another lift." 19 Lack of space, however, and "the need for more favorable environment for carrying out the educational provisions of the Federal acts," resulted in the passage of a law

¹⁶ Fortier, Louisiana (cyclopedic), II, 473-474.

¹⁷ United States Statutes at Large, 51 Cong., XXVI (Washington, 1891), 417-419. This act supplemented the Morrill Act of 1862.

Klein, Survey of Negro Colleges and University, 390. Thence forward the institution is known as Southern University and Agricultural and Mechanical College.
 Jones, Negro Education, A Study of the Private and Higher Schools for Colored People in the United States, II, 260; The New International Year Book (1907), 10.

by the Louisiana Legislature in 1912, providing for the removal of the institution to Scotlandville, five miles north of Baton Rouge.²⁰ The New Orleans property was not sold for more than a year, and it was not till March 9, 1914, that Southern University, reorganized and with J. S. Clark as president, opened its doors on its present campus. President Clark thus described the original physical plant at the new location:

[It] consisted of a small box house 30x80 ft. which had been rapidly thrown up in less than ten days. Sawed blocks were used instead of brick pillars. This little shed served as a chapel, classroom, printing office and male teachers cottage.

The Plantation house during the first year served the following purposes: The President's Office, the residence of the President and Family, Girls' Dormitory, Women Teachers' Cottage and Campus kitchen in which cooking for everyone connected with the Institution was done.

The meals were served on the long back porch which was very uncomfortable in winter and not so pleasant in summer, for we had neither heat nor electric fans.

There were four plantation cabins that were used as dormitories for boys and homes for teachers.

For the first five months the water supply for the Institution came from the Mississippi River and from one of the old surface cisterns.

The first appropriation for building in 1914 was \$25,000. supplemented by the \$75,000 received from the sale of the New Orleans property. In 1915 three brick buildings were erected out of this.21

In 1919, "by constitutional amendment the limitation of \$10,000 was removed, whereby it became possible for the legislature to make an increased appropriation for the larger work of the University;"22 and the following year, at the request of Governor John M. Parker, the state legislature "made an appropriation of \$200,000 for needed buildings and other permanent improvements." During the session of 1920-21, President Clark and the trustees made many improvements, among which were the completion and equipment of an industrial building for girls and a building for boys, to the cost of which the General Education Board contributed \$25,000; a refectory and dining hall costing about \$60,000, the upper floor of which was to be used as

²⁰ Circular of Information, Southern University and A. & M. College (1936), 16; Acts of Louisiana (1912), 140-142.

²¹ MS., Founders' Day address by President J. S. Clark, March 9, 1935.

²² Catalogue of Southern University and Agricultural & Mechanical College, 1931-1932,

a dormitory; and the completion of a president's home and several teachers' cottages; a Rosenwald school for the teacher-training department; a commodious barn and implement shed; and a comfortable home for the farm manager. In 1920 the legislature located the institution for the colored blind children on Southern University property.23

The records for 1921-22 show that despite the fact that "facilities for accommodating pupils and for teaching are better than they have ever been . . . the school is not yet able to accommodate the students who seek admission. About 50% of the applicants are turned away annually. . . . The present greatest need is for dormitories."24

According to the provisions of the Louisiana Constitution of 1921, Southern University, along with all the other state-supported institutions of higher learning, Louisiana State University excepted, was to be placed under a newly constituted State Board of Education.²⁵ At the regular session of the Legislature in 1922 an enabling act was passed whereby the Board took over the direct supervision of the institution.26

The report for the 1922-23 session reveals interesting data. The enrollment, representing fifty-two parishes, exceeds that of any previous year. Ninety-seven diplomas were issued for the high school, junior college and special trade courses. Further:

One hundred fifteen graduates were reported teaching. This number represents the contribution made by Southern University to the teaching profession during the eight years it has been turning out graduates. Whereas the number is not at all adequate to supply the needs of the state for trained teachers, yet it is a noteworthy fact that practically all of these graduates are making a marked success in this field of service.27

As the elementary Negro schools developed throughout the state, Southern University gradually raised its entrance requirements so that by the 1922-23 session no elementary work was done except in the practice school. The eighth grade "was made

²³ Leo M. Favrot and A. C. Lewis, Report on Special Activities in Negro Education in Louisiana, Session 1920-21 (Division of Negro Education of Louisiana State Department of Education, Bulletin No. 18, Baton Rouge, October 1921), 26-27.
24 Ibid., Session 1921-22 (Bulletin No. 100, Baton Rouge, 1922), 29.

²⁵ Constitution of Louisiana (1921), 93.
26 Acts of Louisiana (1922), 204-224.
27 Favrot and Lewis, Report on Special Activities in Negro Education in Louisiana,
Session 1922-23 (Bulletin No. 102, Baton Rouge, October 1923), 15.

the lowest in which regular students were admitted to Southern University." We learn further that

The type of work being done at Southern University fully justifies that appropriation that the state is making for the support of this institution. The fact that each year more than two hundred students are refused admission because of lack of accommodations shows the great demand for an institution of this kind. The school is badly in need of added facilities, both for taking care of more boarder students and for purposes of instruction.²⁸

Provision was made for carrying out a much needed building program in the 1926-27 session when the "General Education Board... appropriated \$87,000 on condition that the State and Southern University raise \$124,000." A science building, an auditorium, and dormitories were the major projects to be financed in this way.²⁹

In 1928 the United States Bureau of Education made an extensive survey of the Negro colleges and universities over the entire nation. Southern University, for the 1926-27 session, was reported as having the following divisions: the college and junior college, with an enrollment of 107, the teacher training department, and the high school, the last with an enrollment of 261. A summer school was conducted, which was attended by 145 students. Forty-five students were enrolled in the vocational and professional courses offered by the institution.³⁰

The site of the university is very attractive, located as it is on a bend of the Mississippi River, just north of Baton Rouge. In 1938 the physical plant was valued at \$1,300,000. The institution owns 500 acres of land, thirty-five of which comprise the campus proper. The resident enrollment for the 1936-37 session averaged about 550 students exclusive of the Training School (including high school) attendance. At that time the university was made up of the following departments: agriculture, mechanical arts, home economics, teacher-training, elementary education, and music; and it was planned to introduce a four-year commerce course and a two-year nursing course in the 1937-38 session. There is no distinct pre-medical course offered, but students may pursue courses which will prepare them to enter medical school. Accordingly, Southern University is approved by the American Medical Association.

30 Klein, Survey of Negro Colleges and Universities, 390-391.

²⁸ Ibid., 16.
29 State Department of Education of Louisiana, Annual Report for the Session 1926-27,

On June 2, 1937, there were 101 students awarded degrees: twelve received Mechanic Arts certificates, and twenty-two were graduated from the high school department. During the 1936-37 session there were sixty-seven persons on the faculty, four of whom held the Ph.D. degree, while all teachers in the College Department had at least a Master's degree. The library contained 15,000 volumes, exclusive of government documents; and special attention had been given to the books of reference for courses offered.31

The chief aim of Southern University, as formulated by a member of the administrative staff, is

to serve as a functioning organ of the State in improving conditions among the Negro citizens, ultimately improving directly or indirectly the conditions throughout the entire State. The institution is proud of the opportunity to reach into the most backward sections of the State and bring students here for training and send them back to their respective communities so that they might do all in their power to bring about better citizenship, finer business relationships, and a stricter adherence to the rules of good health.32

Straight College

Straight University of New Orleans was founded in 1869 by the American Missionary Association. It was named for Seymour Straight, "a liberal benefactor" and wise counsellor of the institution.33 The purposes and objectives of the school, as expressed in the charter granted by the state on June 12, 1869, were "the education and training upon Christian principles of young men and women."

The first building was erected on Esplanade Avenue and Burgundy Street by the United States government through the Freedmen's Bureau at a cost of \$20,000. The site was provided by the American Missionary Association.34 We are told that these recently emancipated people, feeling that education would in some way "lift them into a higher and better life, . . . flocked to this and other schools. . . . Few of them had any fair conception of what a school was, and many only remained a few days, others coming in to fill their places, and with this irregularity little, com-

³¹ Letter from L. I. Brockenbury, Business Manager of Southern University, to the writer, August 3, 1937; Circular of Information, Southern University and A. & M. College (August, 1936), 7-31, passim.

32 Letter, L. I. Brockenbury to writer, August 3, 1937.

33 Klein, Survey of Negro Colleges and Universities, 371.

34 Catalogue of Straight University for the Year 1898-99, (New Orleans, 1899), 47.

paratively, in the way of thorough instruction could be given." As conditions grew better a more satisfactory organization was developed, and in spite of "all the drawbacks, . . . thousands who today [1898] are occupying prominent positions as preachers, teachers, merchants, and farmers look back with grateful remembrance to the time they spent at 'The Straights' or 'The Universe', as many of them still call it."35

In 1877 the institution suffered a serious loss when fire destroyed the main building and the valuable library donated by zealous northern friends of the Negro. A new location was secured on Canal Street, its present site, and the university building was erected in 1878. During the interval, school work was conducted in Central Church, on Liberty Street.³⁶ At that time the institution had 244 students, twelve of whom were preparing for the classical course, 37 while twenty-eight were in the law department,38 twenty-one in the school of theology,39 and ninetyone in the normal department.40

In 1881 the purchase of an additional half square of ground and the erection of a handsome three-story girls' dormitory and teachers' home was made possible by a munificent gift from Mrs. Valina G. Stone of Malden, Massachusetts. Two years later, gifts from Mr. Straight and the estate of Mr. William C. Whitin made possible the erection of Whitin Hall, a boys' dormitory.41 The "building used as Vermont headquarters at the New Orleans exposition in 1885" was acquired the following year by Straight and converted into a library where over 3,000 bound volumes were housed. This same year "a much needed industrial department" was added, chiefly through aid from the John T. Slater Fund which financed the erection and equipment of a shop.⁴²

The law department, which graduated its first class in 1876, numbered among its graduates "many, both white and colored, who take high rank in their profession, and who have filled prominent positions." P. B. S. Pinchback was one of these. The theological department had sent out "hundreds who are intelligently preaching God's word in this and neighboring States." The classi-

 ⁸⁵ Fay, History of Education in Louisiana, 152.
 86 Catalogue of Straight University for the Year 1898-99, 47.
 87 Report of the Commissioner of Education for the Year 1879 (Washington, 1881),

³⁸ Ibid., 584. 39 Ibid., 575. 40 Ibid., 362.

⁴¹ Daily Picayune, Feb. 6, 1893. ⁴² Fortier, Louisiana (cyclopedic), I, 473.

cal and normal departments have likewise sent forth "hundreds of teachers" and school officials who have done much toward advancing Negro education in Louisiana and nearby states. The language requirements for the four-year college course, in 1898, are listed as follows:

Freshman: Anabasis, three terms. Virgil's Aeneid, two terms. Levy, one term, with composition.

Sophomore: Homer's Iliad, three terms. Livy, one term, with composition. Horace, two terms.

Junior: Homer's Odyssey, two terms. Herodotus, with Greek composition, one term. Tacitus, two

terms. French, two terms.

Senior: English literature, one term. Logic, one term. 43

After Dr. Thomas Jesse Jones' survey of the private and higher schools for the colored people in the United States, the Bureau of Education in 1916 reported finding Straight College a "well-managed secondary school" having a large and "well taught" elementary student body, but few college students; 44 and an efficient teacher-training department. 45

The income of Straight College was in 1916 derived from "four sources: Church appropriations, gifts for current expenses, student fees, and net income from sales and services. . . . The total income in 1926-27 was \$85,653.01, . . . an increase of 16.1 per cent over the total income for 1922-23." The college also had a permanent endowment of \$19,012.84, "held in trust by the American Missionary Association."

In 1928 Straight College, so "favorably located on one of the best residential boulevards in the city of New Orleans," had a campus consisting of "one city block and four lots." There were eleven well constructed frame buildings on the grounds, "the main structure being Central Hall" in which were located the administrative offices, the library, some class rooms, and laboratories. The library contained "5,100 well-selected books." The student body, in 1926-27, consisting of 121 college students, most of whom

⁴³ Fay, History of Education in Louisiana, 153-154.

⁴⁴ Jones, Negro Education, a Study of the Private and Higher Schools for Colored People in the United States, II, 302.

⁴⁵ Ibid., I, 76. In 1915 the Board of Trustees changed the name to Straight College. Dillard University Bulletin, Catalog for 1935-36, 3.

⁴⁶ Klein, Survey of Negro Colleges and Universities, 372.

⁴⁷ Ibid., 373.

⁴⁸ Ibid., 379.

took the teachers' course, two graduate students, and 214 high school students,49 were under the direction of fifteen faculty members.50

During the first "58 years of its existence Straight College ... trained a large number of youths for service, many of whom have reached places of distinction and have made valuable contributions to society at large."51 Thus Straight College fulfilled the high mission for which it was established, "to equip for leadership a number of youths of color to toil for the enlightenment of their people in higher pursuits."52

New Orleans University

The Freedmen's Aid Society, under the auspices of the Methodist Episcopal Church, was among the early agencies concerned with higher education for the recently emancipated Negroes. The Union Normal was incorporated in New Orleans by this Society on July 8, 1869, for the purpose of training "young men and women without distinction of race, color or previous condition for teaching."53

Upon application for aid, the Freedmen's Bureau bought "property well suited to the purposes of the institution . . . on the corner of Camp and Race streets" for \$12,000 and donated it to the school. The work begun in the fall of 1869 was so successful that "after three years of prosperity" the scope of "the work was enlarged by merging the Normal School into the New Orleans University,"54 in order that the Negro youths of the South "might have the best educational advantages." Liberal aid was granted by the Church through its Freedmen's Aid Society and in later years by its board of education.55

In 1884 the university sold the property on Camp and Race streets and bought "three acres and a fine plantation mansion well above the the city limits" then, but now on upper St. Charles Avenue. 56 There, in 1886, was erected what is still the main college building, "five-story brick structure" containing ninety-six

⁴⁹ Ibid., 376. 50 Ibid., 377. 51 Ibid., 380.

⁵² Woodson, The Negro in Our History, 455.
53 Annual Report of the State Superintendent of Public Education for the Year 1872, 29;
Dillard University Bulletin, Catalog for 1935-36, 1.
54 Fay, History of Education in Louisiana, 155.
55 New Orleans University Bulletin (May, 1929), 8.

⁵⁰ Ibid., 9-10.

rooms used for administrative, academic, and dormitory purposes.⁵⁷ During the first year after the change of location 345 students were enrolled, chiefly in grade and high school work.⁵⁸ Living expenses for students then were:

Board, room rent, washing, lighting, etc., are charged for at the rate of \$10 per month, while \$1 a month, called an incidental fee, is also charged. Of course, it is here understood that extra charge is made for the use of musical instruments, but those extra charges are made in all institutions. . . . ⁵⁹

By 1890 teacher training, theological, medical, and nurse training departments were added. The medical school was in 1901 named "Flint Medical College" in honor of John D. Flint of Fall River, Massachusetts, a liberal benefactor of the school. "The Medical College was closed in 1911" but the "Department of Pharmacy established in 1889 and the nurse Training School (renamed 'Sarah Goodridge Hospital and Nurse Training School' in 1901 in recognition of the generous donor of a substantial gift to the work) were continued, and the Medical College building was converted into a fifty-bed hospital." 60

The enlarged New Orleans University, an institution to which the colored people had subscribed \$10,000 and Northern Methodists \$90,000, was dedicated on June 7, 1889. Among those present at the ceremonies were Bishop W. F. Mallalieu and Rev. Dr. Joseph C. Hartzell, the corresponding secretary of the Freedmen's Aid and Southern Educational Society. Included in the courses then offered were: classical, kindergarten, Bible, music, business, printing, carpentry and woodwork. The Peck Home for girls had just been completed on Peters Avenue and was to be used to house the home economics department.⁶¹

By 1890 the university had "two other branches," the Alexandria Academy at Alexandria, with an enrollement of 136, and the LaHarpe Street Academy in New Orleans which had 110 students. The so-called university had 560 students, but only ten of these were listed as being in the "college proper." 62

⁵⁷ Klein, Survey of Negro Colleges and Universities, 364.

⁵⁸ New Orleans University Bulletin (1929), 10.

⁵⁹ Biographical and Historical Memoirs of Louisiana (Chicago, 1892), I, 142.

⁶⁰ Dillard University Bulletin, Catalog for 1935-36, 2; Fortier, Louisiana (cyclopedic), I, 446.

el Daily Picayune, June 8, 1889.

⁶³ Biographical and Historical Memoirs of Louisiana, I, 142.

By 1914 New Orleans University, though under progressive management, was definitely "handicapped by lack of funds" and by its location. For many years its income was derived from church appropriations, interest on endowment, student fees, sales and services, and gifts, etc. The total income for 1926-27 was only \$56,472. The endowment was then \$110,250. However, the annual income on the endowment was not paid in full to the institution each year, a portion being reserved by the board of the Methodist Episcopal Church for addition to the principal. 64

The beginnings of graduate work in the institution is thus explained:

Upon the request of a number of ministers and school principals of New Orleans, the university offered in 1926-1927 a limited amount of graduate work leading to the master of arts degree. In organizing this work three members of the faculty of Tulane University of Louisiana were consulted, and the requirements of the latter institution were made the basis for graduate work offered at New Orleans University. 65

The university in 1926-27 had in addition to the graduate school the following divisions: "the college of liberal arts, Gilbert Academy (a four-year high school), the model grade school, the Peck Home, with its department of home economics, and the Flint-Goodridge Hospital, with a nurses' training school." Of the 838 students enrolled at this time, 309 were in college. In 1927 the college and high school department were placed on the accredited list, "by the State Department of Education of Louisiana and reciprocally by Texas, Florida, Alabama, and Mississippi. It is also a member of the Association of Colleges for Negro Youth and of the South Central Association of Colleges for Negro Youth."66

Dillard University

In 1935 Straight College and New Orleans University were combined to form Dillard University.⁶⁷ The two old institutions for the higher education of the Negro, begun in 1869, were "the fruitage of an age of idealism and great spiritual aspiration," and "carried over into the post-war period the enthusiasm of the anti-

⁶⁵ Jones, Negro Education, a Study of the Private and Higher Schools for Colored People in the United States, II, 300.

⁶⁴ Klein, Survey of Negro Colleges and Universities, 363.

es Ibid., 365-366.

^{**} Ibid., 362.

⁶⁷ Times-Picayune, Sept. 1, 1935.

slavery movement."68 The purpose of the newly created Dillard University, as stated in its first bulletins is

to teach the great accomplishments of western civilization in science, literature, the arts, and economics and politics; to emphasize the contribution which has been made by Negroes, and to consider the problems of Negroes in contemporary American society. 69

Dillard University is a co-operative enterprise, with its beginnings in 1930. Combining their efforts and funds in making this new institution possible are: the American Missionary Association, the Board of Education of the Methodist Episcopal Church, the General Education Board, the Julius Rosenwald Fund, and the citizens of New Orleans. This last group, as a result of a citywide campaign, made a contribution of \$241,658. This campaign resulted in fresh inspiration and enthusiasm for the cause as well as in dollars.70

The new university was officially opened on September 24, 1935, though one unit, the Flint-Goodridge Hospital, had opened its magnificent new building on February 1, 1932. It was named for James Hardy Dillard, who was formerly connected with Tulane University and who had served as President of the Jeanes Foundation for Negro Rural Schools, 1907-1931. Dr. W. W. Alexander, a noted expert on interracial relations, was named acting president. He was the only Caucasian connected with the institution. In 1936, William Stuart Nelson, President of Shaw University, Raleigh, North Carolina, was elected as the first permanent president of the university.71

Dillard University, located in the Gentilly Road, is now housed in five buildings "constructed according to a carefully developed plan which will permit the future expansion of facilities both for instructional purposes and for student living. The architecture is in the Georgian or modified classical tradition." The buildings are: the Library and Academic Building, "the center of academic life"; two dormitories; the Social and Refectory Building, "the center of the University social life"; and a power plant. Aside from these are a home for the president and four faculty cottages.72

⁶⁸ Dillard University Bulletin, (1936-37), 1.

o Ibid., (April, 1935), 14.

To Ibid., (1936-37), 6; Times-Picayune, Sept. 1, 1935; Annual Report of the General Educationa Board, 1931-32 (New York, 1933), 28-29.

Times-Picayune, Sept. 24, 25, 1935; Dillard University Bulletin, (June, 1937), 5.

Dillard University Bulletin (June, 1937), 8-9.

Dillard University truly "represents a milestone in the provision for education of the negro, and achieves a goal long in the minds of several organizations."73 It is not Dillard's plan to offer vocational courses but "the university will recommend to professional and vocational schools such students as have shown a special aptitude for some vocation."74 The curriculum is organized into three groups: the Division of Literature and Fine Arts, the Division of the Sciences, and the Division of the Social Studies. 75 According to the university bulletin: "The program of the undergraduate is designed for men and women who want to learn and to lead—to learn with thoroughness and to lead with wisdom and understanding."76

Leland College

The American Baptist Home Mission Society in 1870 established Leland University at New Orleans so that Christian education might be promoted in Louisiana and the adjoining states, the specific purpose being to prepare "ministers and teachers, and to qualify men for business."77 Gifts of \$12,500 each were made by the American Baptist Home Mission Society and the Baptist Free Mission Society for the purchase of about ten acres of ground fronting on St. Charles Avenue. 78 The United States Government. through the Freedmen's Bureau, gave \$17,500 toward the erection of the first building, and the school was opened in 1871.70

Although Leland was chartered as a university, yet, being at the same time, by its charter, open to all without distinction of sex or color, its first work in that locality was necessarily confined chiefly to the education of descendants of the colored race. . . . The beginning therefore, was humble and primitive. The school, at first a primary grade, gradually advanced to grammar and to high-school instruction. . . . 80

In 1876 Leland had scientific and theological departments, with twenty-eight students enrolled in the latter. Courses in theology included "biblical interpretation, church history, Christian theology, pastoral theology, and homiletics. A fuller course of studies" was to be "arranged as soon as the advancement of students" made "it advisable."81 Tuition was free to theological

⁷² Times-Picayune, Sept. 26, 1935.
74 Ibid., Sept. 1, 1935.
75 Dillard University Bulletin (June, 1937), 30.
75 Dillard University Bulletin (June, 1937), 30.
75 Leland Catalogue for 1884-1885 (New Orleans, 1884), 13.
75 Leland College Bulletin, 1936-1938 (Baton Rouge), 10.
76 Fortier, Louisiana (cyclopedic), I, 472.
80 Fay, History of Education in Louisians, 150.
81 Report of the Commissioner of Education for the Year 1877 (Washington, 1879), 86.

students, while others were charged eight dollars. Board cost two dollars per week.82

Deacon Holbrook Chamberlain, in addition to being the prime mover in founding Leland, was, during his lifetime, the generous donor of gifts totaling \$65,000, and at his death he bequeathed to the school property amounting to \$100,000. The American Baptist Home Mission Society also gave "various sums, averaging over \$3,000 annually" from 1874 to 1886.83 By this latter date Leland was self-supporting.84

When finally this institution was offering only full normal and college work, "A system of affiliated schools was inaugurated by which the faculty of the university could exercise control over the preparatory course of study in secondary institutions established at important centers outside of New Orleans." Leland appointed the teachers for these schools, paid their salaries, prepared the course of study, selected the textbooks, and required that each school pay to her before the 15th of each month at least one dollar per pupil. Leland agreed to admit their graduates into the regular normal classes without examination.85

In 1915, a hurricane damaged the college buildings to such an extent that it was deemed necessary to sell the New Orleans property and secure a new location. Desirable property was difficult to obtain. Leland, again under the control of the American Baptist Home Mission Society, reopened eight years later near Baker, a small village ten miles north of Baton Rouge. Today thirty-five acres of the two hundred thirty-six acre farm are used for a campus on which are located the following buildings: a three-story brick administration building, brick dormitories, a large frame practice school, the president's home, professors' cottages, a laundry, a power plant, two farm homes, and a modern dairy.86

The aims and purposes of the institution as stated in a recent bulletin are:

Leland College is a Christian School. It is in a large measure sustained by the American Baptist Home Mission Society and also by the State of Louisiana. It is Christian rather than denominational and welcomes teachers and students from many denominations. It definitely aims to develop religious character no less than intellectual ability and culture.87

^{**} Ibid., 527.

**3 Fay, History of Education in Louisiana, 149-150.

**4 Leland College Bulletin, 1936-1938, 10.

**5 Fay, History of Education in Louisiana, 151.

**5 Leland College Bulletin, 1936-1938, 10-12.

**7 Ibid., 11.

Peabody Normal School

One of the outstanding movements in Negro education after the Civil War was "the multiplication of normal schools and of normal departments for colored students," all striving to supply trained teachers to replace the great proportion of incompetent ones who "have zeal but it is without knowledge." The main support for this work came from religious societies.88 As far as normal departments were concerned, this was true of Louisiana for all the so-called colleges and universities, and practically all the smaller private schools had teacher training departments.

Among the first of the normal schools in Louisiana was the Peabody Normal for colored people, which was opened in New Orleans in 1877 while Mr. Robert M. Lusher was State Superintendent of Education. This school was "under the control and direction of a board of five regents, the State Superintendent as president, and four others, members of the New Orleans board of school directors." The institution was supported through the year 1883 by an annual contribution of \$1,000 from the Peabody educational fund.

We learn that "Miss Julia Kendall, an excellent white teacher, was principal, and Edmonds, an excellent colored teacher, was professor of mathematics up to 1880." Sylvania F. Williams, "the best graduate," then succeeded Miss Kendall. 89 The school "continued to be well attended by an intelligent class of students" under "a thoroughly competent and experienced principal."90

Peabody Normal closed in 1888 because funds were withdrawn after normal courses were established in Leland, New Orleans University, and Straight.91

Xavier University

One of the more recently established schools for the higher education of Negroes in Louisiana, and one from which the whole of the deep South may expect definite cultural and intellectual contributions, is Xavier College.

To New Orleans goes the distinction of having "America's only Catholic College for Negro Youth," an institution which had

 ^{***} Report of the Commissioner of Education for the Year 1880 (Washington, 1882),
 lxiii; E. L. Stephens, "Education in Louisiana in the Closing Decades of the Nineteenth Century," in Louisiana Historical Quarterly, XVI (1933), 47.
 ** Fay, History of Education in Louisiana, 113.
 ** Report of the Commissioner of Education for the Year 1878 (Washington, 1880), 89.
 ** Daily Picayune, Sept. 29, 1892.

its beginning in Xavier High School established in 1915 by the Sisters of the Blessed Sacrament.92 Southern University property on Magazine Street was purchased for \$18,000 and donated to the new school by Mother Katherine Drexel, daughter of the Philadelphia millionaire banker, and founder of this order. The order was established "exclusively for educational and missionary work among Indians and negroes." A contemporary newspaper reports:

Mother Drexel is seemingly unconscious of her great work. She is modest and retiring, keeping her own splendid personality entirely in the background. She speaks of all the purchases or work contemplated solely as that of the order, of which she seems to be its humblest and least assertive member.93

In 1917 a normal department was added to the high school. The following year the Louisiana legislature recognized Xavier as an accredited university and authorized and empowered the Sisters of the Blessed Sacrament to confer degrees and grant diplomas.94 However, the college work was not begun until 1925, when forty-seven students enrolled in the newly opened Teachers' College and the College of Liberal Arts.95

Xavier made amazing progress during the next ten years. The following schools and departments were developed: School of Education, Pre-medical School, School of Music, College of Pharmacy, School of Social Service, Department of Physical Education, and Graduate School of Science and Art. Student enrollment reached 540 in 1935.96

The present site at Pine and Washington streets was purchased in 1929, and three units of Xavier University were completed in 1931. These beautiful Gothic structures of Indiana limestone were dedicated in 1933 by Cardinal Dougherty, Archbishop of Philadelphia.97

In addition to the general library which has "16,000 or more volumes" which are constantly being supplemented, there is a well stocked periodical room and a departmental library "suited to the needs of Science and Pharmacy students."98

⁹² New Orleans Item, June 11, 1937.

os Times-Picayune, April 18, 1915.
os Acts of Louisiana (1918), 29-30.
os Interview with Mr. Carpenter, assigned by Dean of Women.
os Xavier Herald (June, 1935), 1-4.

⁹⁷ New Orleans Item, June 11, 1937. 98 Xavier Herald (June, 1935), 4.

Howe Institute

As a result of the work of the Christian Educational Association, a group of Negroes aroused to the need for educational opportunities for their children, Howe Institute was established in New Iberia in February, 1886. School opened in a two-story, eight-room, frame building, situated on a four-acre plot. This property was owned by a prominent white citizen. A large enrollment and "complete faculty" was present the first day.

A Miss Farley, a teacher in one of the White schools of New Iberia, interested Mr. Peter Howe, a retired capitalist of Wynona, Illinois, in this school. As a result, Mr. Howe bought the property with the "avowed purpose" of allowing the school to be conducted there "as an experiment to determine whether it would develop into an institution justifying his donating the property for the education of Negroes in New Iberia and that section."

Howe Institute became affiliated with Leland College in 1889. Jonas Henderson, a Leland graduate and member of the faculty, was made principal of the Institute in 1896. By 1900 the students had advanced sufficiently to justify adding two years of secondary work to the curriculum. In 1903 the Howe heirs accepted the "meritorious work being done at the Institute as a fulfillment of their father's wishes and gave the corporation an absolute title to the property." The board of trustees "determined as an act of appreciation to erect a three story brick structure for a larger accommodation of the pupils." By this time, Howe was regarded "as an asset to New Iberia," so "officials and leading white citizens" lent aid and encouragement in a "campaign for funds and donations" to erect a new building. Among the larger contributions were nine carloads of sand given by General Dudley Avery of Avery's Island, and the Southern Pacific Railroad "donated half the freight." Colored citizens gave "the price of thousands of Bricks."99

In consequence of this campaign Howe Institute by 1916 owned eight acres of land in New Iberia on which had been erected two well-equipped brick buildings with a total valuation of \$14,000. The income for the Institute was derived from appropriations made by the Baptist Association, tuition fees, and profits from the boarding department. At that time Howe was

⁹⁹ Material supplies by Jonas Henderson, New Iberia, La.

reported to be "A well-managed elementary school with a few secondary pupils."100

In 1927 Howe Institute was approved by the State Department of Education as a training school of eleven grades. It has since continued to grow and serve the community.101

Coleman College

Coleman College, located on a ninety-acre tract of rolling land at the outskirts of Gibsland, was founded in 1890 by O. L. Coleman, a Negro. The school was under the general control of the American Baptist Home Mission Society. 102 The property, however, is owned jointly by the trustees and Coleman who was president for the first thirty-seven years of the institution's existence. At his death in 1927 his son succeeded to the presidency. 103

The physical plant in 1916 consisted of three two-story brick buildings, two large frame structures, and several cottages and smaller buildings.¹⁰⁴ By the session of 1926-27 a frame structure had replaced the main college building which with its equipment had been destroyed by fire. Frame buildings were also erected to serve as a dining hall and as a dormitory. None of the buildings was well equipped, and the "mere vestige of a library" was found "locked up in a small room."

For a number of years prior to 1927 the school had been hampered by an inadequate income derived mainly from student fees and appropriations made by the American Baptist Home Mission Society. Yet it had served northwest Louisiana "with a considerable degree of success."105

Gilbert Academy and Industrial School

Gilbert Academy and Industrial School, a boarding and day school, had its origin in the Colored Orphans' Home established by General Nathaniel P. Banks in 1863 in the Pierre Soulé mansion in New Orleans. The institution was maintained for almost three years under the charge of Madame de Mortier, "a colored woman of high culture and morality." When government aid was withdrawn the school was discontinued.

 ¹⁰⁰ Jones, Negro Education, a Study of the Private and Higher Schools for Colored People in the United States, II, 296.
 101 Material supplied by Jonas Henderson, New Iberia, La.
 102 Jones, Negro Education, a Study of the Private and Higher Schools for Colored People in the United States, II, 289-290.
 103 Klein, Survey of Negro Colleges and Universities, 400.
 104 Jones, Negro Education, a Study of the Private and Higher Schools for Colored People in the United States, II, 290.
 105 Klein, Survey of Negro Colleges and Universities, 400-402, passim.

However, in 1875, Dr. Goodman, a white clergyman, re-established the institution on a plantation near Franklin, Louisiana, under the name of Louisiana Teche Seminary. Gifts from the Freedmen's Aid Society and from individuals had made possible the purchase of a 1700-acre plantation. Agriculture, industrial and vocational training were offered to boys, while girls were instructed in sewing. Some of the orphans were prepared to be teachers. The faculty was provided by the Methodist Aid Society, and from the first the "Day School was excellent." Fire, storms and financial distress were among the "tribulations endured." The name was changed to Gilbert Academy and then to Gilbert Academy and Industrial School. 107

Sometime between 1883 and 1893 financial aid was extended by St. Mary Parish and by the Slater Fund which at that time was assisting private and denominational schools "doing good work in the training of teachers." No reports other than the mere listing of enrollment are available for some years prior to 1915. At that date it was largely an elementary school with a few secondary pupils, being supported by the local colored conferences, general donations, tuition fees, profit on the boarding department, and the Freedmen's Aid Society. Up to 1937 the school was continuing about the same type of work first undertaken.

Sabine Normal and Industrial Institute

The local Baptist Association of Converse, Sabine Parish, in 1903 founded the Sabine Normal and Industrial Institute on a small farm eight miles from the town. Unlike many of the private schools, this was well "suited to the needs of the rural community" and has rendered good service in that section. Financial aid was received from the Slater Fund and the parish school board. In 1914 about one-fourth of the student body was reported as being in the secondary department. Sometime prior to that date the property was leased to the parish school board for a period of five years.¹¹⁰

110 Ibid., 305-306.

¹⁰⁶ Gilbert Academy and Agricultural College, Winsted [Baldwin] Louisiana, Sketches and Incidents (New York, 1893), 46-49.

¹⁰⁷ Report of the Commissioner of Education for the Year 1880, lix.

Leavell, Philanthropy in Negro Education, 64; Gibert Academy, 47.
 Jones, Negro Education, a Study of the Private and Higher Schools for Colored People in the United States, II, 307-308.

Other Institutions

For several of the smaller academies, listed in the Jones report of 1916, very little information is available. Mansfield Baptist Academy was founded in 1901 by the local Baptist Association. In 1916 it was classified as an elementary and secondary school offering industrial training.111 The John F. Slater Fund made a gift of \$3,320 to the school in 1929.112 The Synodical Conference of the Lutheran Church founded Luther College in New Orleans in 1903, a small elementary and secondary school. In 1916 this institution was reported as having only two teachers (white) and a student body of thirty-seven. 113 The Colored Methodist Episcopal Conference was responsible for but one school in the state—Homer College, at Homer, Louisiana. It did elementary and high school work, and had only eighteen pupils enrolled in the latter department in 1914.114 Israel Academy, at Belle Alliance in Assumption Parish, was established by the Baptist Church, and was reported in the Jones Bulletin of 1916 as being "a good elementary day school."115 In 1909, the African Methodist Episcopal Conference planned a school, the Lampton Literary and Industrial College, near Alexandria, which would offer "elaborate college, law, and theological courses." As a matter of fact, its work has been largely elementary. 116 Sometime just prior to 1930 the name was changed to Armstrong College. 117

Gaudet Normal and Industrial School

Differing completely in its origin from the remainder of the academies and industrial schools, is the Gaudet Normal and Industrial School. In 1900 the Gaudet Reform School, or the Colored Industrial Home and School as it is sometimes called, was founded by Mrs. Frances Joseph Gaudet, a Negro woman of unusual ability. She made it her mission "to go into the prisons, alleys and homes of the lowly and save their boys." She raised funds by begging from door to door until a sufficient amount was accumulated to purchase a farm and erect three school buildings, a residence and a barn.118

¹¹¹ Ibid., 293. 111 Poid., 293.

112 The John F. Slater Fund, Reference List of Southern Colored Schools (Occasional Papers, No. 20, 1929), 7-8.

113 Jones, Negro Education, a Study of the Private and Higher Schools for Colored People in the United States, II, 313.

114 Ibid., II, 292.

115 Ibid., II, 288-289.

116 Ibid., II, 304-305.

117 A. E. Perkins, Who's Who in Colored Louisiana (New York, 1928), 66.

118 New Octaons Item. June 11, 1937.

¹¹⁸ New Orleans Item, June 11, 1937.

The records of 1913-14 show that its support came from Orleans Parish funds, donations, and appropriations from the Jeanes Fund. The plant, valued at \$88,000, consisted of one hundred five acres of land and five frame buildings. This institution was in 1916 a "small elementary school with good industrial and gardening work."119

This school plant, located on Gentilly Road five miles from New Orleans, was given to the Episcopal Church of Louisiana in 1920 by Mrs. Gaudet. Since then it has been supported by the Church, the Community Chest of New Orleans, and the City of New Orleans. 120 It is now known as the Gaudet Normal and Industrial School and offers the following subjects: carpentry, cooking, sewing, and poultry raising. 121

CHAPTER V

PHILANTHROPY IN THE EDUCATION OF THE LOUISIANA NEGRO

The appropriations and activities of the large philanthropic foundations have undoubtedly been "the most effective agencies in the stimulation and organization of Negro education" during the last twenty-five years. However, from the time the Negro was emancipated, help for his education has been coming from religious organizations and friends at the North, while local philanthropy has also played an important part in this work. Among the earliest of the benefactors was the Widow Bernard Couvent, a woman of color, already discussed in the first chapter of this study. Having secured her own freedom, she strove to provide "light and learning" for the illiterate and indigent children of New Orleans.2 Thomy Lafon, a free person of color and New Orleans' outstanding Negro philanthropist, was a "shrewd, kindly person who wielded an influence for good among the Negroes of his native city." He accumulated wealth in the real estate business and at his death left a legacy of \$413,000 to be spent for charitable educational purposes with "no distinctions in regard to color, race or sex."3

The first of the educational funds aiding New Orleans was established in 1850 by John McDonogh, a wealthy slaveholder of

¹¹⁹ Jones, Negro Education, a Study of the Private and Higher Schools for Colored People in the United States, II, 298-299.

in the United States, 11, 298-299.

120 Annual Report of the Gaudet Normal and Industrial School for 1926, 1.

121 Ibid. (1927), 2-3; New Orleans Item, June 11, 1937.

1 Thomas Jesse Jones, "Trends in Negro Education," in Twenty Year Report of the Phelps-Stokes Fund, 1911-1931 (New York, 1932), 46.

2 Work, Negro Year Book (1916-1917), 251.

2 Ibid., 252; Meyer, "We Name Our Schools", 35.

that city. Negroes and whites still share in the benefits of this fund which has in the main been used in erecting buildings.4

In 1867, George Peabody, an American who had "amassed a fortune in America and England," instituted the fund which bears his name and which became the "first of the large educational foundations to influence the educational development of the Negro." The aims formulated by the Board of Trustees in 1867 were: "first, temporary aid to elementary schools which were finding it difficult to maintain themselves . . . ; second, the establishment of a system of public education; third, teacher training; and fourth, industrial and scientific education."⁵

In Louisiana until the end of the Reconstruction period, white schools profited more by the Peabody Fund than did Negro schools. Dr. Sears, the agent of the fund, wrote to the State Superintendent in answer to that official's request for funds for Negroes, in this vein:

In the distribution of our fund I should be most happy to cooperate with the State authorities. But I understand that the State public schools [of Louisiana] are so organized that the greater part of the white population are unwilling to send their children to them, and that consequently the benefit of the money goes . . . to the colored children chiefly. . . . It is well known that we are helping the white children of Louisiana, as being the more destitute, from the fact of their unwillingness to attend mixed schools.⁶

After 1870 the policy of the Board was to center its efforts on "the stimulation of the establishment of a public system of education" and to "act as far as possible in conjunction with state authorities" A definite scale of assistance was made, but colored schools received only "two-thirds of the rates" granted white schools as "it costs less to maintain" them. The Board next directed its attention to teacher-training. In 1877 it established the Peabody Normal for Negroes in New Orleans, an institution that it supported in part until 1888, when other well established schools providing better teacher-training facilities rendered its continuance unnecessary. In 1914 the Board turned

⁴ James, Negro Education, a Study of the Private and Higher Schools for Colored People in the United States, I, 256.

⁵ Leavell, Philanthropy in Negro Education, 59-60, 84.

⁶ Fleming, Documentary History of Reconstruction, II, 194.

Leavell, Philanthropy in Negro Education, 84-86, passim.

⁸ Discussed in more detail in Chapter IV.

over its remaining funds to the Slater Trustees to be used in aiding county training schools.9

Mr. John F. Slater of Norwich, Connecticut, "inspired by the eminently wise and successful way in which the Peabody Fund had been used," created in 1882 the John F. Slater Fund10 which has been justly considered "a potential agency in enlightening public opinion and in working out problems of Negro education."11 The general purpose of this foundation was the "uplifting the lately emancipated population of the southern states, and their posterity. by conferring on them the blessings of Christian education."12 This was the first of the educational funds to expend its "entire efforts toward improvement of Negro educational opportunities."18

Mr. Slater suggested to the Board of Trustees of his fund that the training of colored teachers or the "stimulation of institutions already engaged in the training of teachers might be the most effective use of the fund." The Board "found their best opportunities to carry out such a program" in the schools already established and maintained by Northern religious organizations.14 By 1894 an "unalterable policy" had been established restricting aid to institutions that offered "manual training or education in industries" as well as "mental and moral instruction."15 Until 1911 the Slater Fund continued its teacher-training program by aiding higher private and denominational schools that were doing successful work in this field.16 New Orleans University, Straight College, Xavier University, and Leland College are among such institutions benefiting most in Louisiana.¹⁷ Contributions have been made chiefly toward augmenting salaries.18 In more recent years the Slater Board has followed the policy of granting salary aid to college or private secondary school professors only when they are graduates of such institutions as Yale, Harvard, Columbia, and the University of Chicago. 19

By 1911 the Board's major interest had shifted to the field of public rural secondary education for Negroes. Because of

10 Ibid., 62

⁹ Leavell, Philanthropy in Negro Education, 91-93, passim.

¹⁰ Ibid., 62.

11 Curry, Education of the Negro since 1860, 30.

12 Leavell, Philanthropy in Negro Education, 62.

13 Edward E. Redcay, County Training Schools and Public Secondary Education for Negroes in the South (The John F. Slater Fund, Washington, 1935), 25.

14 Leavell, Philanthropy in Negro Education, 62-64.

15 Curry, Education of the Negro since 1860, 30.

16 Leavell, Philanthropy in Negro Education, 64.

17 The John F. Slater Fund, Reference List of Southern Colored Schools (Occasional Papers, No. 20, 1929), 7-8.

18 State Department of Education of Louisiana, Annual Report for the Session 1926-27, 25.

19 The John F. Slater Fund, Proceedings and Reports (for Year ending June 30, 1935), 15.

appeals from Louisiana and other Southern state school men, both white and colored, Dr. James H. Dillard, general agent of the Slater Foundation, had committed himself to the policy of rendering aid in this field of work. The Louisianians involved in the movement saw not only the advantages of Slater aid in establishing rural high schools—the state could not boast of a single one at that time—but also saw in it "a potential means of improving the preparation of rural teachers." Elementary rural schools already in existence were generally selected to serve as nuclei for this work. As soon as possible one or more years of high school work were added, emphasizing industrial and vocational training, and these high schools, called Parish Training Schools, were used as centers for the training of rural school teachers. In all cases definite efforts were made to relate school work to community life.²⁰

The Slater Board, in rendering assistance to Parish Training Schools, did so on the following basis: first, that the school property must be owned by the state or parish; second, that at least \$750 for salaries must be paid from state or parish public fund; third, that the minimum school term must be eight months; fourth, teaching must extend through the eighth school year, "with the intention of adding at least two years as soon as it shall be possible"; and fifth, it is the policy of the Board to discontinue its appropriations by degrees, as the training schools become well organized, and to let the public boards support them.²¹

The General Education Board, the largest and "most diverse in its influence" of all the foundations, was incorporated in 1903 by John D. Rockefeller, with the avowed purpose of promoting "education within the United States of America, without distinction of race, sex, or creed." The "range of activities" was to be "as broad as the field of education" since the Board was permitted "to assist, stimulate, or experiment" in any line of educational work. Rockefeller's first four gifts totaled \$53,000,000. By 1920, \$126,788,094 had been received by the General Education Board.²² Its efforts have been directed toward aiding higher education and education generally in the South. The policy followed in the latter field has been one of "co-operation with local

²⁰ Redcay, County Training Schools, 5, 16, 26-29, 45, 95.

²¹ Favrot, Report on Special Activities in Negro Education in Louisiana. Session 1930-21 (Bulletin 18), 6-7. The Parish Training Schools are discussed in more detail in Chapter VI.

²² Leavell, Philanthropy in Negro Education, 66-67, 69-70.

effort, and stimulation toward adequate care of existing needs."23 The General Education Board has extended aid to Negroes of the South by giving assistance to private institutions established by northern churches and by southern Negroes. It has done much toward "stimulation in the development of an efficient system of public education for Negroes in the South."24

In Louisiana practically every phase of Negro education has profited by the generosity of the General Education Board. Its assistance has been valuable in "promoting the development of elementary schools for both white and colored."25 The most vital contribution made by this Board to Louisiana has no doubt been the financing of the office of Agent for Negro Education—a position created in 1916 and filled successively by Leo M. Favrot and A. C. Lewis. The leadership and inspiration of these two men have been of inestimable value not only to Louisiana but also to the field of Negro education generally. The Agent for Negro Education "is a regular member of the staff of the state superintendent of education and works under his direction. He inspects Negro schools, cooperates with local authorities in developing public sentiment, and assists school boards and teachers with suggestions and advice."26 More recently the Board has made possible the employment of an assistant agent for the Division of Negro Education of Louisiana.27

In 1918 the General Education Board established the policy of assisting teachers in Rosenwald schools to continue their professional studies. Under this plan "twenty-four teachers . . . in Louisiana attended Tuskegee Institute summer normal, money for their fare being supplied them. . . . "28 Others were sent to Hampton Institute.29 The General Education Board "has borne a substantial part of the expense" of summer normals and has aided in establishing Parish Training Schools for making appropriations to supply equipment and "occasionally to assist in such enterprises as providing dormitories and teachers' homes." Through a five-

²³ Ibid., 68-69.

24 Ibid., 71.

25 Annual Report of the Louisiana State Department of Education for the Session 1-22 (Baton Rouge, 1923), 12.

26 Annual Report of the General Education Board, 1916-17 (New York, 1918), 41.

27 State Department of Education of Louisiana, Eighty-first Annual Report, for the Session 2

sion 1929-80, 8.

28 Leo M. Favrot, Rosenwald Negro Rural Schools in Louisiana, Session 1917-1918
(State Department of Education of Louisiana, Bulletin No. 5), 8.

29 A. C. Lewis and L. M. Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1922-23 (Bulletin 102), 129.

year appropriation granted by the Board in 1920, Louisiana was able to improve the standard of its teaching force by raising minimum salaries to \$1,000 for principals and \$500 for assistants.30 This Board has throughout its existence co-operated with both the Jeanes and Slater boards and has contributed generously to their projects.31 Further, very substantial aid has from time to time been extended to both private and state-supported colleges.32

In 1907, Miss Anna T. Jeanes, a Philadelphia Quakeress, after having generously aided certain Negro educators, including Booker T. Washington, decided to establish a fund for "the furthering and fostering of 'rudimentary education' in small Negro rural schools." She set aside \$1,000,000 for this purpose, and when Booker T. Washington, George F. Peabody, and Hollis B. Frissell thanked her for her munificence, she answered: "Thee does not need to thank me. It is I who needs to thank thee, . . . and I didn't do it to save my soul from Hell, either!" And so the Negro Rural School Fund came into existence.33

The Board of Trustees for this fund, in 1908, agreed upon the following policies:

That the general educational situation should be studied carefully; (2) that any work undertaken should be with the entire approval and cooperation of the local public school officials; and (3) that so far as possible the Fund should be used to help provide opportunities for effective training for rural life among the Southern Negroes.34

The income from the Jeanes Fund has been relatively small since Miss Jeanes, in her deed of gift, required that the principal should be invested "only in government securities, either of the United States or of certain states and cities specified by her." Indeed, the income has never reached \$43,000 in a single year. A factor, however, making for a wider influence of the Jeanes Fund's limited income, was the agreement in 1908 of the Jeanes and Slater boards to work under a "joint administrative set-up."35

Since 1912 the Phelps-Stokes Fund, the General Education Board, the Rosenwald Fund, the Keith Contributions, and since

³⁰ Annual Report of the Louisiana State Department of Education for the Session 1921-

<sup>22, 12.
31</sup> Leavell, Philanthropy in Negro Education, 103.

³² Ibid., 180.
33 Arthur D. Wright, The Negro Rural School Fund, Inc. (Anna T. Jeanes Foundation),
1907-1933 (Washington, 1933), 7-9.
24 Ibid., 11.

³⁵ The John F. Slater Fund, Proceedings and Reports (for Year ending June 30, 1936), 32.

1935 the Slater Fund have made substantial donations to the Jeanes Foundation and have thus enabled it to support a greater number of Jeanes supervising teachers. This is the first of the great foundations to confine all of its activities to the public education of Negroes.36

At first Jeanes teachers in Louisiana, as in the rest of the South, were supported wholly by the Foundation. The entire project, however, was basically a "cooperative effort" in which "local authorities must always realize that the function of the Jeanes Fund is merely a helping function and that the fundamental responsibility for the support of the work rests on the public school authorities." The states have gradually assumed more and more responsibility in the matter, and Louisiana, in 1936, paid the entire salaries of ten of the twenty-seven Jeanes teachers employed.37

From the first the Jeanes work has been confined to rural sections where "it aimed to reach the school in the background the remote country school for Negro children, out of sight in the backwoods, down the bayou, on the sea marsh, up in the piney woods, or out in the gullied wilderness of abandoned plantations." In such sections children were housed in old churches, cabins, country stores, or as in one instance in Louisiana, in a stranded flatboat. In almost every case teachers were untrained and without supervision, salaries were woefully inadequate, equipment was meager and school terms were short.38

During the earlier years of the Fund's operations, appropriations were largely for

salaries of industrial teachers teaching industrial work in some one school, for the extension of school terms, for the supplementing of the salaries of rural school teachers, for the expenses of conferences of one sort or another and in a few cases for buildings and equipment and for the maintenance of summer schools for teachers. . . . After the first few years these expenditures were almost wholly for the salaries of supervising industrial teachers. The titles of these persons have varied greatly. Some have been called supervising industrial teachers, others have been called Jeanes teach-

³⁶ Leavell, Philanthropy in Negro Education, 76; Wright, The Negro Rural School Fund, Inc. 66-67, 75, 104; The John F. Slater Fund, Proceedings and Reports (for Year ending June 30, 1936), 22.

³⁷ The John F. Slater Fund, Proceedings and Reports (for Year ending June 30, 1936), 28-29; Interview with Mr. A. C. Lewis, August 12, 1937.

38 B. C. Caldwell, "The Work of the Jeanes and Slater Funds," in Annals of the American Academy of Political and Social Science, XLIX (1913), 173-174.

ers, still others have been called Jeanes workers. Perhaps the term "Jeanes teachers" is generally most acceptable.39

Since the establishment of the Jeanes Fund, Louisiana has each year shared in the benefits extended by the Foundation.40 For the 1908-09 session, the state received \$2159.74 for teachers' salaries. The following year \$6702.50 was granted for the same purpose, while \$2115 was given for buildings and equipment.41 As late as 1920 we find that

In order to stimulate interest in operating country schools for a longer period of time in parishes where the terms have been as short as three or four months, the Jeanes Board has made appropriations to supplement appropriations made by parish boards . . . to provide that the length of term be increased two months. East Feliciana, East Carroll and West Feliciana parishes were the beneficiaries. . . .

In order to stimulate interest in properly equipping rural schools the Jeanes Board offered to assist eighteen schools located in any three parishes in the State in providing a teacher's desk, a teacher's chair, and a . . . blackboard. . It was stipulated that these . . . should not be Rosenwald schools because of the fact that such schools were receiving aid from other sources, but that they should be schools housed in real schoolhouses in rural sections and . . . in which there was evidence of enough local pride to insure that the equipment would be properly cared for.42

It is interesting to note that in 1907, the year in which the Negro Rural School Fund was established, Louisiana was one of the two states receiving aid from it in employing industrial teachers. These were "regularly attached to the staff of a particular school and gave occasional help to some nearby outlying schools."43 The first of the Jeanes teachers in this state was "Mrs. M. E. Sorrell, whose work was in Iberville Parish."44 We find by 1919 that in Louisiana the work of these teachers had changed. Mr. Favrot relates that the Jeanes parish agent or Jeanes supervising teacher had been in the past chiefly

an industrial teacher. It has been largely the duty of this agent to teach the simpler arts of home making, sanitation, gardening and canning. As the schools of each parish have

³⁹ Wright, The Negro Rural School Fund, Inc., 11.

⁴¹ Biennial Report of the State Superintendent of Education (1909-10, 1910-11), 123.

All Biennial Report of the State Superintendent of Education (1909-10, 1910-11), 123.
 Favrot and Lewis, Report on Special Activities in Negro Education in Louisiana,
 Session 1920-21 (Bulletin 18), 20-21.
 Jackson Davis, The Jeanes Visiting Teachers (An Address Given at the Inter-Territorial Conference, Salisbury, Southern Rhodesia, May 27, 1935), (Carnegie Corporation of New York, 1936), 12.
 Leavell Philanthropy in Negro Education, 73-74.

developed into a system of schools, these agents have been called upon to assist in the supervision of these schools and to promote the school spirit in the parishes in which they labor. At a conference of Southern State agents of rural schools for Negroes held at Richmond last December, it was decided to abandon the intensive gardening and canning campaigns that had been waged each summer in the parishes in which these agents had been at work, because this work was duplicating to a considerable extent the efforts made by the Government Extension agencies. . . . The work of the Jeanes agent will, hereafter, be more purely professional school work than it has been in the past. 45

In considering the many and varied activities of Jeanes teachers, one can readily agree with Mr. Favrot when he asserts that they are "perhaps the outstanding factor in the general improvement of the Negro situation." Their work included: "promoting more hygienic habits and practices among the people"; assisting in the selection of teaching corps; taking an active interest in parish or community fairs; holding teachers institutes46 and teaching in summer normals; interesting the community in providing new buildings, better school surroundings and extending the school term; 47 organizing and supervising the work of children's groups and all kinds of adult activities; assisting untrained teachers in the preparation of daily programs; aiding teachers in solving all kinds of problems of school management and discipline; teaching demonstration lessons, directing industrial activities in plain sewing, darning, housecleaning, etc.48

Perhaps the most important objective of the Jeanes teacher is the improvement of classroom instruction. At the present time all Jeanes teachers in Louisiana hold college degrees and are all "conscious of modern trends in Rural Education." emphasize the "significance of the environment in the program of studies" and assist "teachers in organizing teaching materials adapted to the instructional conditions."49

An outstanding authority on the work of the Jeanes Fund comments as follows:

The most distinctive feature of the Jeanes work consists of the practical community activities which have been carried

⁴⁵ Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1919-20 (Bulletin 14), 13-14.

46 A. C. Lewis and L. M. Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1922-23 (Bulletin 102), 11-12.

47 Ibid., Session 1921-22 (Bulletin 100), 28-29.

43 State Department of Education of Louisiana, Annual Report for the Session 1926-27, 71.

49 State Department of Education of Louisiana, Eighty-seventh Annual Report, for the Session 1935-36, 48.

on so successfully wherever the Jeanes teachers have gone. They make education real and genuine by connecting the schools with the home and community needs of the people and they organize and guide the sense of responsibility. naturally results in a better understanding of the society of which they are a part and in a cooperative attitude in all matters in which community action is essential.50

One of the greatest influences in stimulating improvement in Negro schools has been the Rosenwald Fund, established in 1913 by Mr. Julius Rosenwald of Chicago. The original purpose, to promote the building of Negro rural schoolhouses, has since been extended to include a broader scope of service.⁵¹ Aid is given in constructing teachers' homes, improving libraries, extending the terms of Rosenwald schools, providing the salaries of a Rosenwald building agent and a shop instructor, and paying the cost of transporting Negro children to certain schools.⁵² In 1928, Mr. Rosenwald increased the Fund to \$22,000,000 and provided that the entire amount, both income and principal, should be spent within twenty-five years after his death.53

A definite plan for the distribution of aid from the Rosenwald Fund was formulated for Louisiana and other Southern The plan is as follows: states.

- The Rosenwald Fund will work in conjunction with the school authorities and other agencies in providing and equipping rural schoolhouses for Negroes.
- The property (sites and buildings) of schools receiving aid from the Fund must be owned by the public school authorities.
- 3. The number of new buildings to be constructed will be decided upon by the Trustees of the Fund and the State Department of Education.
- The school site must include sufficient space for playgrounds and for agricultural work. Two acres in the minimum for a one-teacher school.
- 5. The General Field Agent of the Fund must approve all plans and specifications for buildings. The Fund will gladly supply plans, specifications and suggestion.

bo Davis, The Jeanes Visiting Teachers, 18.

⁵¹ Robert Russa Moton, What the Negro Thinks (New York, 1929), 105-106.
52 State Department of Education of Louisiana, Eighty-first Annual Report, for the Session 1929-30, 15.
53 Leavell, Philanthropy in Negro Education, 79-80.

- 6. Aid from the Fund can be secured by a community only if an amount equal to or greater than the sum received is raised from other sources, such as public school funds, private contributions, etc.
- "The Fund will deposit with every co-operating State Department of Education a sum of money recommended by the General Field Agent, to constitute working capital, from which the proper State official may make disbursements. . . . "
- "The amount appropriated by The Fund shall not exceed \$500 for a one-teacher school, \$800 for a two-teacher school, and \$1,000 for a three-teacher school. . . ."
- 9. Help will be extended only if the term runs five consecutive months.
- 10. The building, including equipment, must be completed within eight months from the time the community qualified for aid from the Fund.
- The Trustees recommend that teachers' homes be built. and that in some cases financial aid for these might be provided by the Fund.
- "The Fund reserves the right to discontinue its operations . . . after reasonable notice to the Department of Education. . . . "54

From time to time this plan has been altered. For example, in 1921, provision was made for the appropriation of "\$1,200 for a four-teacher school, \$1,400 for a five-teacher school, \$1,600 for a six-teacher school . . . , and \$200 for the addition of a classroom to a Rosenwald school already built."55 All of the amounts contributed by the Fund, however, were decreased somewhat by 1923.56

The first Rosenwald school in Louisiana was erected in 1916.57 The following year the State Department of Education and Southern University jointly employed a Rosenwald rural school building agent, whose salary and expenses were paid jointly by the Rosenwald Fund and the State Department of Education. The

⁵⁴ Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1919-20 (Bulletin 14), 7-9.

⁵⁸ Favrot and Lewis, Report on Special Activities in Negro Education in Louisiana, Session 1920-21 (Bulletin 18), 15-16.
58 Ibid., Session 1922-23 (Bulletin 102), 16-17.
55 State Department of Education of Louisiana, Annual Report for the Session 1926-27, 72.

business of this Negro agent was to "promote the cause of better school buildings" by visiting communities considering building new schoolhouses and supplying the details by which aid could be received. When necessary, he was to awaken the Negroes themselves to the need for adequate buildings and aid them in raising the required funds.58

Rosenwald aid proved such a tremendous stimulus that by 1922 Louisiana had with this help erected eleven teachers' homes and one hundred ninety Negro rural school houses. The latter contained four hundred eighty-nine "large, well arranged, properly lighted and ventilated and thoroughly modern classrooms" which accommodated 22,005 children. Negroes contributed 24.9 per cent of the total cost of these buildings and their equipment, white friends 5.3 per cent, the Rosenwald Fund 19.2 per cent and public tax funds 50.6 per cent.59

Viewing the situation, however, from another angle, it is seen that despite the building program that was carried on for five years under the Rosenwald Fund plan, there were more than 1,000 buildings in use as Negro schools that were "utterly inadequate." About one-fourth of this number was owned by parish school boards, while the remaining three-fourths consisted of churches and halls owned by Negroes. It was recognized that the "task of housing the Negro schools of Louisiana" had "just begun." This fact was still more obvious when we consider that 45 per cent of the Negro educables were not in school.60

By 1929, out of a total of 1,337 Negro rural schools in Louisiana, 372 or 27.8 per cent were Rosenwald schools. The average pupil capacity of the total number was sixty-four, while that of the Rosenwald schools was one hundred twenty-seven.61

Robert Moton, the Negro educational leader, considers that the importance of the work of the Rosenwald Fund lies in the fact that

Not only has it stimulated Negroes in their efforts toward self-improvement, but it has provided the ground for active cooperation between the two races in the solution of one of the most serious phases of race adjustment in our country, at

os Leo M. Favrot, Rosenwald Negro Rural Schools in Louisiana, 1917-18 (State Department of Education, Bulletin No. 5), 6.

so Lewis and Favrot, Report on Special Activities in Negro Education in Louisiana, Sesson 1922-23 (Bulletin 102), 16.

o Ibid., Session 1921-22 (Bulletin 100), 17.

⁶¹ State Department of Education of Louisiana, Annual Report for the Session 1928-29,

the same time giving a direct stimulus to education for whites as an indirect but positive result. Perhaps no movement in the last generation for social advancement in the South has been of such far-reaching influence for the good of both races as the operations of the Rosenwald Fund, which are continuing on an ever increasing scale.⁶²

Mr. Leo M. Favrot maintains that aside from the monetary aid rendered by the Rosenwald Fund, it has given to each community a "new outlook" and a "new vision," as well as a "community self-respect." As the scope of the work has become broader, the Fund has donated to health education of the Negro, to institutions of higher learning, and to industrial high schools for Negroes in cities.⁶³

In commenting on the work of all the philanthropic foundations. Mr. Favrot says:

Philanthropy has rendered two outstanding services to Negro education in the South. It has, first of all, helped to fasten the attention of school officials and Negro leaders upon specific needs and objectives, and, in the second place, by giving small amounts of money, it has stimulated the South to invest increasingly larger amounts in Negro education.⁶⁴

CHAPTER VI

RECENT DEVELOPMENTS

With the restoration of home rule in 1877, Louisiana of necessity turned her attention to material interests—to the betterment of her economic condition, especially to the rehabilitation of her industries. As it was, the state was forty years in regaining the financial status of 1860. Naturally schools were

starved and inefficient. Indeed, many people expected the South to set aside the schools for Negroes as soon as the military pressure was removed. But those who held such fears did not know the spirit of the old South. . . . It was a long time before this Negro child could find a real chance, but the hope of such a chance was never abandoned. A double school system was a heavy load on a poverty-stricken section . . . it was common knowledge that the Negro child did not have as much spent on him as did the white child—and for this we know there was no adequate excuse—but the South did what most parents under similar circumstances would

Moton, What the Negro Thinks, 106-107.
 Leo M. Favrot, "Negro Education in the South, an Abstract," in National Educational Association of the United States, Proceedings and Addresses, Vol. 67 (Washington, 1929), 474.
 Ibid., 473.

do; if there was insufficiency for their own children and others, they would almost surely favor their own. the action of the white South.1

As a result, in most sections of the South public schools for Negroes were "almost a mockery. With the exception of the State industrial schools almost no provision at all was made for the higher education of the Negro after the undoing of reconstruction. Elementary schools were generally neglected and secondary schools hardly existed at public expense. The per capita expenditure for educating the Negro child was about one-fourth of that for the white."2

Difficulties other than the "dreary poverty of the taxpayer" were encountered in carrying on systems of schools for the two races. "Population was sparse, roads were bad, schoolhouses did not exist, . . . no sufficient supply of competent teachers was to be had."3 In addition, "the school term was so short that children forgot most of what they learned in one term before they were given further instruction." The makeshift buildings, unpainted, leaky and neglected had a tendency to teach shiftlessness, disorder and indifference. Lack of supervision and of suitable courses of study were other weaknesses of the system.4

Conditions in Louisiana were equally bad if not worse. investigation made by the Department of Education revealed that between the years 1869 and 1877 the sum of \$2,137,369.02 had been lost to the public schools by mismanagement and corruption.5 In 1878 school funds were so low that only 761/4 cents per educable could be appropriated. Reports for 1882 show that "less than \$9000 [was left] for the support of free schools throughout the State, exclusive of New Orleans." Large interest charges, appropriations to three universities, and salaries of school officials had absorbed the major portion of the funds. This resulted in the practical suspension of free public education outside of New Orleans. Statistics for the following year were not encouraging,

¹ Willis D. Weatheford and Charles S. Johnson, Race Relations, Adjustment of Whites and Negroes in the United States (New York, 1934), 355-356.

and Negroes in the United States (New York, 1934), 355-356.

² Woodson, The Negro in Our History, 433-434.

³ Jones, Negro Education, a Study of the Private and Higher Schools for Colored People in the United States, I, 260-261.

⁴ Weatherford and Johnson, Race Relations, 359-360.

⁵ "Report of the John Committee of Investigation of the Department of Education," in Legislative Documents, Louisians, 1877, 10.

⁶ Annual Cyclopedia (1878), 563.

⁷ Report of the Commissioner of Education for the Year 1882-83 (Washington, 1884), 90.91.

"partly from diversion of school funds by the legislature to collegiate institutions and partly also, it would seem, from want of any general interest in education."8

Turning now from the financial situation, we find that Superintendent Robert M. Lusher in 1877 listed fifteen parishes as having 115 schools, with a total enrollment of 6,876 pupils and an average term of three months. Two parishes, however, had but one month of school.9

As would be natural to expect, educational facilities for Negroes in New Orleans were far superior to those in other parts of the state. By 1877 the administrators of the McDonogh School Fund had erected and "appropriated to the use of colored children" two large, "substantial" brick buildings. Another was probably in the "process of erection." A report in 1878 stated that the "crowning feature of the system of public education in New Orleans is her three public academies." Two of these were for whites and one for colored.11 In the following year New Orleans opened its first public high school for Negroes. 12 In 1880, out of fifty-four schools reported by the city of New Orleans, thirteen were for Negroes. "Satisfactory progress" was noted, as was "improved attendance" and "marked interest." Teachers were "faithful and competent," schoolhouses were comfortable and a "kindly spirit and more healthful tone has been gradually diffused through the school life." The course of study was reorganized and a third year of high school work was added.13

Fourteen parishes made no reports to State Superintendent Fay in 1882-83. Three of these had no schools because of lack of funds, one had no blanks on which to make reports, another made no report because the secretary had resigned, while the secretary of St. Helena moved to Mississippi without making his report.14

Securing textbooks was a difficult problems in many parishes where the Negro parents were either "unwilling or too poor to purchase them." The teacher often "had to furnish the books himself in order to retain his position."15

^{**} Ibid. (1883-84), 104.

** "Report of State Superintendent of Education," in Legislative Documents, Louisiana 1877, 4 ff.

10 Report of the Commissioner of Education for the Year 1877, 84.

11 Report of the Commissioner of Education for the Year 1878 (Washington, 1880), 89.

12 Ibid., 121.

13 Report of the Chief Superintendent of Public Schools of New Orleans to the State Board of Education, 1882 (New Orleans, 1882), 15.

14 Biennial Report of the State Superintendent of Public Education, 1882-1883 (Baton Rouge, 1884), 19.

15 Report of the Commissioner of Education for the Year 1887-88 (Washington, 1889), 112.

A news note from Raceland in 1889 presents a brighter story. Mr. C. S. Mathews of "Georgia plantation," who did everything possible to further the education of the children on his plantation, had just built a large schoolhouse which

will be one of the finest rural schools in the state.

Mr. Mathews is giving a fair at Georgia on the 8th of June, with the view of swelling the school fund, to the end that the new building may be made in every respect worthy of the object for which it is intended, and also to supplement the state appropriation, so that the school may be kept open the year round.

If every man in the state had the education of the negroes as thoroughly at heart as has Mr. Mathews, Louisiana would in a very short period hold up her head and be able to vaunt her educational capacity as being equal to that of any of her sister states.¹⁶

Mrs. Sylvania F. Williams, principal of one of the largest colored schools in New Orleans, reported that city as having twelve "magnificent" public schools with an enrollment of 5,436 pupils. Five of these schools were under a faculty of forty-five white teachers; the other seven were under thirty-nine Negro teachers, all of whom had been educated in New Orleans.¹⁷

Conditions in the rural parishes were quite different. The report from Superintendent Wilbur Kramer of St. Mary Parish is fairly typical. He considered the colored schools, "so called by courtesy only," the most serious problem facing the state. He had not yet come to realize that the Negro was entitled to a just proportion of the school funds, for he said:

resources of the parishes are not sufficient to but take care of the white schools. Our colored schools, such as they are, are run for four months. . . . In some sections of the parish, colored men of some means have become interested in the educational problem of their race, and they have been encouraged . . . to provide themselves with school houses, and have been given control of their schools. This has resulted in their obtaining good teachers, whom they pay for five months in the year, and whom we pay for four months in the year. We will extend this practice over as many communities . . . as we can, as this seems to be the only practical way in which any betterment in the colored schools will arise. As a race they must work out their own salvation. . . . In the

¹⁶ Daily Picayune, May 28, 1889.

¹⁷ Ibid., Sept. 28, 1892.

course of time their work will be appreciated and the State will come to their aid just as it has come to the aid of the white schools.18

Interest in public education of the whites, even, was still at so low a level in Louisiana that in the late nineties an organized campaign was instituted to arouse the people to the educational needs of the state. Outstanding leaders in this movement were: Thomas D. Boyd, President of the Louisiana State University; B. C. Caldwell, President of the State Normal School; E. A. Alderman, President of Tulane University; and James B. Aswell, the State Institute Conductor. Martin G. Brumbaugh, who later was to become successively State Superintendent of Education and Governor of Pennsylvania, was brought in as an aid and inspiration. Enthusiastic crowds received them wherever they held meetings.

Later, Newton C. Blanchard, candidate for governor, persuaded James B. Aswell, then President of the Louisiana Industrial Institute at Ruston, to run for state superintendent of education. The educational campaign then in progress was so vital that Blanchard felt that a young enthusiastic school man would strengthen his ticket. Both were elected in the spring of 1904, and now for the first time Louisiana had a professionally trained school man to direct public education. 19

Although Mr. T. H. Harris characterizes the period from the end of Reconstruction to Mr. Aswell's election as "a dreary waste in Louisiana educational history," yet there are to be found here the beginnings of teacher-training for both whites and Negroes at public expense.20

One of the essential features in the establishment of practically all of Louisiana's private schools and institutions of higher learning for Negroes was the training of teachers. In many of these schools the standards were so low and the work so elementary that the demand for trained teachers far exceeded the supply. In 1887 the need of a normal school for Negroes outside of New Orleans was urged. Though nothing came of this immediately, the next year witnessed a general arousing of interest in this type of work, chiefly due to the enthusiasm of Thomas D. Boyd, who was then President of the Louisiana State Normal (for whites).21 We learn that, "In connection with the work of the

Biennial Report of the State Superintendent of Public Education (1900-01), 120.
 Interview with Mr. V. L. Roy, Baton Rouge, La., Aug. 10, 1937.
 Harris, Public Education in Louisiana, 61.
 Interview with Mr. V. L. Roy, Aug. 10, 1937.

normal school, institutes are held in the spring and summer at various points in the State by members of the faculty and a few imported lecturers." These institutes, which were both instructive and inspirational, were conducted for both white and Negro teachers, with many more whites than Negroes attending in every case. In Amite where forty white teachers were in attendance, only four Negroes were present.²²

The records show that in 1904, the year Mr. Aswell became State Superintendent, separate institutes were conducted for colored teachers. Some of these lasted as long as four weeks, as did the one held at Monroe, which was attended by sixty-four teachers.²³ In the following year, "summer normals" for Negroes were conducted in Alexandria, Shreveport and Lake Providence. Each lasted about a month, and was in charge of such Negro leaders as J. W. Hunter, J. B. Lafargue and T. H. Kane.²⁴ A summer school session in 1910 at the Baton Rouge Academy, conducted by the Negro educator, J. S. Clark, lasted thirty-six days and was attended by 187 teachers.²⁵

By 1920, summer schools were a regular part of the teacher-training program for Negroes. In that year summer schools "were operated for a period of eight weeks in twenty-eight parishes." In addition, New Orleans and Shreveport each operated one, and Southern University held its regular summer session. And further, two summer schools were conducted for teachers in the Rosenwald schools. The General Education Board contributed \$7,400 towards the expenses of all these. Mr. Leo M. Favrot, Agent for Negro Education at that time, asserts, however, that "The State and parishes contributed a much larger amount." ²⁶

By 1923 the number of summer normals was reduced to nineteen, making it possible to offer a "superior type of work" and to shorten the term from eight to six weeks. It is recorded that 2,159 teachers attended.²⁷ Gradually, as better trained teachers have been produced by the Parish Training Schools and the institutions of higher learning, the "summer normal" has been done away with. In 1937 the only public summer schools which Negro

²² Fay, History of Education in Louisiana, 116-117.

^{23 &}quot;Biennial Report of the State Superintendent of Public Education," in Legislative Documents, Louisiana, 1904-1906, II, 88.
24 Ibid., II, 117.

Pold., 11, 117.
 Biennial Report of the State Superintendent of Public Education (1909-10, 1910-11), 37.
 Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1919-20 (Bulletin 14), 22-23.

³⁷ Lewis and Favrot, Report on Special Activities in Negro Education in Louisiana, Sesson 1922-23 (Bulletin 102), 9-10.

teachers might attend were the regular summer sessions of Southern University and of the Louisiana Rural Normal School, at Grambling.28

Out of a superintendent's ever-present need for trained Negro teachers in Louisiana, and a Negro school principal's realization of the pressing economic problems of his race29 came the beginning of a great movement—the County Training School which spread through the entire South. A. C. Lewis, Superintendent of Tangipahoa Parish, and A. M. Strange, Negro principal of the so-called Kentwood Agricultural and Industrial High School, appealed to Dr. Dillard and B. C. Caldwell, Field Agent of the Slater Fund, for aid in establishing a parish high school for Negroes.30 The dual purpose of this school was to offer vocational training suitable to the peculiar needs of rural communities and to train teachers for the parish. 31 At this period trained Negro teachers were not available for "the meager salaries paid country teachers." Mr. Lewis hoped in this way to train a "regular and fairly good supply." So in 1911 this, the first County Training School in the South, was established "in the piney woods of Tangipahoa" and named the Parish Training School for Colored Children. Teachers and equipment were provided by the parish school board, the house and ten acres of land were donated by the Brooks-Scranton Lumber Company, while the Slater Fund agreed to contribute \$500 a year for three years toward the salary of an industrial teacher.32 And though the Kentwood school had enrolled no secondary pupils at the time, it "served to initiate the movement, at least, in the rural public secondary education field for Negroes."33 Apparently, according to the records of the Louisiana State Department of Education, it did not become a Parish Training School in the full sense of the term until 1919.34

In Sabine Parish, the Sabine Normal and Industrial Institute, a large rural community school, was made a Parish Training School through the effort of Superintendent W. S. Mitchell and R. E. Jacobs, the principal. Reports state that "support came from the parish tax funds, liberal donations from the timber in-

28 Interview with Mr. A. C. Lewis.

Interview with Mr. A. C. Lewis.

10 Redcay, County Transing Schools, 26-27, passim.

10 Ibid., 28; Leo M. Favrot, A Study of County Training Schools for Negroes in the South (The John F. Slater Fund, Occasional Papers, No. 23, 1923), 8.

11 Redcay, County Training Schools, 95.

12 Favrot, A Study of County Training Schools for Negroes in the South, 8.

13 Redcay, County Training Schools, 16.

14 Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1919-20 (Bulletin 14), 20.

terests owning land surrounding the school, and the Slater Fund's \$500 yearly contribution."35

There being no precedents to follow in the development of these schools, "the spread of the idea" to other parishes and to other states made necessary "some determination of their aims and purposes to lend direction to the efforts of the schools already established and those to follow." A committee of which Mr. Favrot was a member was appointed to formulate the "general aims and purposes of County Training Schools." In doing this they carefully considered "the opinions of county school boards, state departments of education, and the philanthropic groups assisting in the establishment and maintenance of these schools."36 The committee presented the following aims:

- 1. To supply for the parish a central Negro public training school, offering work two and three years in advance of that offered by the common schools.
- 2. To establish a type of Negro school in the parish which will serve as a model with respect to physical plant and equipment, teaching force, course of study, and plan of operation.
- 3. To lay emphasis on thorough work in all common school studies, to relate these studies to the lives of the pupils, and to develop standards of achievement.
- To give industrial training, laying particular emphasis upon subjects pertaining to home and farm.
- 5. To prepare Negro boys and girls to make a good living and lead a useful life by knowing how to care for the home, to utilize land, to make home gardens, to raise their own meat, poultry products, milk products, etc.
- 6. To prepare young men and young women to become rural and elementary school teachers. . . . 37

Records show that "Louisiana, probably more than any other state, capitalized and encouraged the Training School movement for its teacher-training possibilities from the beginning. . . . Experienced teachers, called 'teacher-trainers,' are employed; the work is carefully supervised by members of the Division of Negro Education in the State Department of Education; and State Teacher's certificates are issued to graduates of these schools."38

³⁵ Lewis and Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1922-23 (Bulletin 102), 30.

³⁶ Ibid., 33, 35.

³⁷ Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1919-20 (Bulletin 14), 19.
38 Redcay, County Training Schools, 97.

One parish having a "very competent Jeanes supervising teacher" had her also serve as a member of the Parish Training School staff as an "itinerant teacher-trainer." Her duty in this connection was to supervise graduates of this school who were teaching in the parish at the time. She also directed the student-teaching of the senior class, which was conducted in neighboring rural schools once or twice during the session, for the duration of a week. It was felt that young rural teachers would be greatly benefited "by having an opportunity to work in a real situation under the direction of a skilled teacher." 39

Although there were in 1919 only seven Parish Training Schools in the state,⁴⁰ the Division of Negro Education was organizing and developing this type of school "as rapidly as opportunity was found to locate, house and support them properly." Gradually they were "increasing in number and enrollment, particularly in the higher grades." School plants and "facilities for instruction" were being improved and these institutions were making their influence felt in the parishes which they served. Perhaps the greatest influence came through the teachers they were supplying for the smaller rural schools. Reports state that schools taught by these teachers are invariably well-kept and that community sentiment "for the public education of the Negro is stronger where such teachers are employed. Officials feel that the Parish Training Schools are in every way justifying their cost by training efficient industrial workers and teachers."⁴¹

There has been no uniformity in the type of work undertaken in the Parish Training Schools. The agricultural and industrial activities have been determined by "the community in which the school is located" and by the "training of the industrial teachers." Tangipahoa Parish Training School, located on cutover pine lands, has emphasized, "particularly, the growing of strawberries and garden truck." The work of clearing, fencing and cultivating has been done by the boys under the direction of two men who teach vocational agriculture and shopwork. This school is a "member of the Kentwood Truck Growers' Association, and teachers and pupils . . . enjoy all the privilege of learning methods of cultivation, and of co-operative buying and marketing. In addition . . .

Lewis and Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1922-23 (Bulletin 102), 8-9.
 Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1919-20 (Bulletin 14), 20.

⁴¹ Lews and Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1922-23 (Bulletin 102), 12-14, passim.

the boys . . . have done practically all the building, such as constructing the . . . teachers' home, remodeling and repainting the dormitory." The school farm at Richland Parish Training School, "with its 40-acre corn crop, has helped even this first year of its existence to demonstrate its value in the community." Morehouse school specialized in the use of hotbeds for growing early plants that were sold locally. Individual agricultural projects on the home farms were closely supervised and flourished about the school. Further, shopwork of a very practical nature was given, such as repairing furniture and farm implements and doing simple carpentry. 42

Slowly through the years new Parish Training Schools, which represented the best type of Negro school in the state, were established until the number reached thirty-three in 1931. The following year five of these did away with the teacher training departments, becoming "merely high schools with emphasis on vocational education." By the 1936-37 school session all of the remainder had followed this course, though many of them retain the original name of "Parish Training School."

A reorganized rural teacher-training program is now functioning in the Louisiana Negro Normal at Grambling and in six high school teacher-training centers located at Minden, Natchitoches, Mansfield, Many, Kentwood and Lake Charles. These six centers are regular four-year schools with the addition of one year of teacher-training under the supervision of the Louisiana Negro Normal.⁴⁴

"Grambling," as the Louisiana Negro Normal is familiarly called, was in 1932-33 "appropriately located in a rural section of North Louisiana." Building and equipment were

unpretentious, and generally inadequate; however, these conditions are in harmony with rural school facilities prevailing throughout the State. . . . It is not bound by tradition and by artificial or pretentious standards, yet it is attempting to meet reasonable and acceptable standards in scholar-ship.⁴⁵

While Grambling and the six training centers now prepare rural teachers, Southern University, Dillard, Xavier and other

⁴² Ibid., Session 1920-21 (Bulletin 18), 9-10.

⁴³ Redcay, County Training Schools, 40.

⁴⁴ Interview with Mr. A. C. Lewis, Aug. 12, 1937.

⁴⁵ State Department of Education of Louisiana, Eighty-seventh Annual Report, for the Session 1935-36, 47.

institutions of higher learning continue to supply teachers, principals, and supervisors for the urban Negro schools.46

During the last twenty-five years the "most unique educational trend" was probably the development of the activities known as "farm demonstration," "home demonstration" and "vocational education." This type of work is largely traceable to the influence emanating from Hampton Institute as early as 1870.47 Later Booker T. Washington, credited with being the "ablest politician the race has so far produced, . . . won a large percentage of the Negroes as well as of the whites to the support of schools for the vocational and industrial training."48 We have already noted (Chapter V) that as early as 1894 the Slater Foundation, realizing the importance of vocational education, was limiting its aid to schools offering such courses.49 From 1905 to 1914 the General Education Board helped Southern states finance this work, and when its value was clearly demonstrated the federal government began to co-operate financially with the state governments.50

Congress passed the Smith-Lever Agricultural Extension Act in 1913, carrying an appropriation for agricultural extension work in every state on condition that federal funds be matched by the state. The activities carried on consisted of farm demonstration work and corn and canning clubs.51 In Louisiana these clubs for Negro boys and girls were started in 1918. At that time there were "three permanent Negro Farm Demonstration agents"52 whose efforts proved so successful that by 1920 there were 326 canning clubs enrolling more than 7,000 girls and boys and their mothers.53 The work continued to grow. Three years later there were nine agents⁵⁴ and by 1935 there were ten men agents who served twenty-six parishes and four women agents who served eleven parishes. Work among adults has been directed toward the general improvement of farming and home life with special emphasis on diversification and on the conserving of food

⁴⁶ Interview with Mr. A. C. Lewis, Aug. 12, 1937.
47 Jones, "Trends in Negro Education", loc cit., 40.
48 Reuter, The American Race Problem, 267.
49 Jones, Negro Education, a Study of the Private and Higher Schools for Colored People in the United States, I, 256.
50 Jones, "Trends in Negro Education," loc. cit., 40-41.
51 Work, Negro Year Book (1918:1919), 298-299.
52 A. C. Lewis and W. A. Sisemore, Special Report on Negro Education in Louisiana, Session 1923-24 (Bulletin 104), 53.
53 Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1919-20 (Bulletin 14), 17.
54 Lewis and Sisemore, Special Report on Negro Education of Louisiana, Session 1919-20 (Bulletin 14), 17.

⁵⁴ Lewis and Sisemore, Special Report on Negro Education in Louisiana, Session 1923-24 (Bulletin 104), 53.

sufficient to fit the family need. Clubs for boys and girls, now called "4-H clubs," carry on the same type projects as the adults do.55

The federal government entered the field of vocational education in 1913 with the passage of the Smith-Lever Act and in 1917 broadened the scope of the work with the passage of the Smith-Hughes Act. According to the provisions of the latter act. the state must match the federal appropriations and the money must be spent for agricultural education, for instruction in trades. home economics and industrial subjects and for training teachers, supervisors and directors of these subjects. 56

Because the large rural schools in Louisiana were more interested in agriculture, the new vocational departments were in the main located in the Parish Training Schools already equipped with shops and gardens.⁵⁷ In vocational agriculture instruction "centered very largely about a project carried on by each pupil. An agricultural project is any kind of farm enterprise undertaken by a student resulting in the production of some crop or farm animal."58 In home economics the aim is "to teach better habits of living, child care, simple home nursing, food supply and preparation, clothing and laundering. . . . "59

For the 1918-19 session the record shows only four schools with vocational agriculture in which seventy-six pupils completed their home projects netting a profit of \$1,427.07. The following year courses were offered in vocational agriculture and home economics in six Parish Training Schools and at Southern University.60 Satisfactory growth in this type of work is evidenced by the fact that in 1927 thirty-eight schools were offering vocational education to regular students and to 400 adults in evening classes. 61 The federal government increased the appropriations carried in the Smith-Hughes Act by the enactment of the George-Reed Bill in 192962 and the George-Ellzey Act in 1934.63 Louisi-

⁵⁵ J. W. Bateman, Annual Report of Agricultural Extension Work in Louisiana, 1935,

S. J. W. Bateman, Annual Report of Agricultural Extension Work in Louisiana, 1935, Part II, pp. 1-8, passim.
 Jones, "Trends in Negro Education," loc. cit., 41; The New International Year Book (1917), 12; Work, Negro Year Book (1918-1919), 299.
 State Department of Education of Louisiana, Annual Report for the Session 1926-27, 73.
 Lewis and Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1922-23 (Bulletin 102), 18.
 Joid., 20-21.
 Favrot, Report on Special Activities in Negro Education in Louisiana, Session 1919-20 (Bulletin 14), 22.
 State Department of Education of Louisiana, Annual Report for the Session 1926-27.

⁶¹ State Department of Education of Louisiana, Annual Report for the Session 1926-27, 72-73.

**Solution of the United States of America, 73 Cong., 2 Sess., LXXVIII, Pt. 7, p. 7463.

**Statutes of the United States of America, 73 Cong., 2 Sess., Pt. 1, p. 792.

ana, making full use of this aid, had in the 1935-36 session twentynine schools offering vocational agriculture to 659 regular classes and to 452 part-time and evening classes. 64 In that same session, forty-five schools had 4,537 regular classes and eighty-nine parttime and evening classes giving home economics instruction.65

While it may seem to the casual observer that Negro education in Louisiana still leaves much to be desired, yet the development, measured by any standards, "has been a little less than marvelous."66 Indeed, when one realizes that the system as it exists today is the product of a quarter of a century, there should be little room for dissatisfaction. It is true that the growth in elementary education has not kept pace with the increase in population, but there has been a greater proportionate increase in the larger schools of this type than of the one-room school, implying that better facilities are available.

In the field of secondary education the progress has been most notable, for in the 1915-16 session Louisiana was conspicuous by her absence from the list of states having public secondary schools for Negroes. Today there are thirty-five fully accredited four-year high schools, while forty-five others are accredited on a slightly lower basis. They, however, offer four years of work. This number of public high schools for Negroes is augmented by eleven state approved private ones.67

Louisiana may be justly proud of her higher institutions of learning for Negroes, both public and private. Southern University is planned to meet the general education needs of the state. while Dillard University and Xavier College seem destined to become centers of culture and learning.

Certain definite trends in the development of Negro education in recent years are very evident. There has been a constant increase in the length of the school term, in the number and value of school buildings, in the number and quality of teachers employed, and in school attendance. From the 1910-11 session to that of 1934-35 the records show a gain of 146 per cent in average attendance and over 520 per cent in the cost of instruction for Negro children.68

^{**} State Department of Education of Louisiana, Eighty-seventh Annual Report, for the Session 1935-36, 197.

** Ibid., 200-201.

** Jones, "Trends in Negro Education," loc. cit., 32.

or State Department of Education," loc. cit., 32.

Session 1935-36, 188-189.

State Department of Education of Louisiana, Eighty-seventh Annual Report, for the

^{**} State Department of Education of Louisiana, Eighty-sixth Annual Report, for the Session 1934-35, 27-28.

Dr. Thomas Jesse Jones, in analyzing the trends in Negro education, makes the following comment:

Possibly the most significant of all trends for the future of Negro education is the increasing development of cooperation for the advancement and improvement of Negro schools. . . Federal, state, county and local governments have combined not only with each other, but also with philanthropic funds and religious boards. White and colored citizens have co-operated heartily in the building and support of Negro schools. The activities of the larger educational foundation have been especially effective in the stimulation of all forms of co-operative activities. The extraordinary results already achieved not only in the significant increases and improvements of Negro education, but also in extending and deepening interracial good-will and genuine co-operation are substantial guarantees that the Negro people are more and more entering into the full responsibilities and opportunities and rights of American citizenship. 69

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⁶⁹ Jones, "Trends in Negro Education," loc. cit., 51.

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Letter from L. I. Brockenbury, Business Manager of Southern University, to writer, August 3, 1937.

BOOK REVIEWS

By WALTER PRICHARD

Yesterday and Today in Louisiana Agriculture: How Twentyfive Years of Extension Service Changed the Pattern of Farming and Rural Life. By Frederick W. Williamson. (Baton Rouge: The Louisiana State University and Agricultural and Mechanical College, Division of Agricultural Extension, J. W. Bateman, Director, 1940. Pp. xiv, 389.)

This volume was published as a part of the celebration of the twenty-fifth anniversary of the passage of the Smith-Lever Act of 1914, which ushered in the present type of agricultural extension, or farm and home demonstration, work in Louisiana and the other states of the nation.

The author first devotes a few brief chapters to the historic background of Louisiana agriculture as a basis for his study. He then discusses the rise of the movement for agricultural extension, its beginnings on a small scale, and its progress and development during the first quarter century under the enlarged plan. The changes wrought in agricultural methods and practices, and the influence of these developments upon the economic and social aspects of agricultural activities and the pattern of rural life in Louisiana are traced in an interesting manner.

Part II, the Appendix, (pp. 275-330), reproduces in convenient form the texts of the Morrill Act of 1862, which made provision for the establishment of Agricultural and Mechanical (Land Grant) Colleges in the several states: the Hatch Act of 1887, which provided for the establishment of agricultural experiment stations in connection with these colleges; the Smith-Lever Act of 1914, which provided for co-operative extension work in agriculture and home economics; the "Agreement of Understanding" between the Louisiana State University and the United States Department of Agriculture, executed in 1914, which provided the terms upon which the new work was to be organized and administered in this state; and the Capper-Ketcham Act of 1928, which made provisions for the expansion and further development of the agricultural extension program. The Appendix also contains a complete list, by parishes of the farm and home demonstration agents, with dates of service, from the inception of the work to 1939; a list of all the directors of the various Louisiana agricultural experiment stations from their establishment to 1939, with dates of service; and a similar list of the Beef Cattle Extension agents from 1914 to 1939.

Part III of the volume (pp. 331-389) is the "Annual Report of the Agricultural Extension Work in Louisiana for the Year 1939," by J. W. Bateman, Director.

The attractiveness and interest of the volume is enhanced by the inclusion of sixteen photographs of prominent state and national leaders in the agricultural extension program, and thirtythree illustrations of various activities connected with the Louisiana program of farm and home demonstration work.

The work is interestingly written and the printers have produced an attractive volume. However, the lack of any sort of index makes difficult the use of the volume for reference.

Those interested in the history of agricultural and rural life in Louisiana, particularly during the last quarter of a century, will find much of value and worth in this timely volume.

Louisiana in the Confederacy. By Jefferson Davis Bragg. (Baton Rouge, La.: Louisiana State University Press, 1941. Pp. ix, 341. \$3.00.)

In this scholarly and unbiased work is presented the first adequate treatment of the history of Louisiana during the important and interesting period of the Civil War. The author is a native of Louisiana, who has for some years been a member of the faculty of Baylor University, Waco, Texas. The study was undertaken as a doctoral dissertation in history at the University of Texas, and it has been completely reworked and revised for publication. As the title indicates, the volume covers in considerable detail the political, military, economic, and social history of Louisiana from the beginning of the secession movement to the end of the War for Southern Independence. No part of the state's history during this trying period is neglected or even slighted in the volume, and the space allotted to the different phases of the subject is exceedingly well proportioned.

The author has explored all the available sources, both manuscript and printed, on the history of Louisiana for the period under consideration; and the published results of his extensive and intensive research show conclusively that he has thoroughly digested and effectively utilized all the sources at his command. While it may be putting it too strong to say that this is the definitive work on the subject, certainly the job in hand is here so well done that many years must elapse before any other historian will feel called upon to rework the same field.

The bibliography is extensive and complete, and the footnote citations to courses are numerous and always pertinent. The analytical index is adequate in scope, and it will aid materially in the use of the volume for reference purposes. The editorial work is well done and the format of the volume is attractive. The Louisiana State University Press is to be congratulated upon the addition of this valuable volume to its list of important publications dealing with various phases of Louisiana history.

The general public as well as the serious student of Louisiana history will find in this timely volume the most scholarly, thorough and complete treatment yet attempted of the history of this state during the four long years when the sectional dispute as to the nature of the Federal Union was undergoing the final ordeal of trial by battle. No citizen interested in our state's colorful history can afford to neglect a careful reading of this volume.

Master of the Mississippi: Henry Shreve and the Conquest of the Mississippi. By Florence L. Dorsey. (Boston; Houghton Mifflin Company, 1941. Pp. 301. \$3.75.)

This volume is a combination of biography, history, description and romance, with some of the material bordering closely upon fiction. It is the story of the career of Henry Miller Shreve, one of the outstanding leaders in the early development of steamboat traffic on the Ohio and Mississippi rivers and the man who first removed the Red River raft which had long obstructed the channel of that stream above Grand Ecore, Louisiana. The book is an excellent illustration of "padding," since the really pertinent biographical and historical material bearing upon Shreve's career might easily have been compressed into a volume of less than half its size. The author weaves into the narrative a vast amount of descriptive material, much of which is of doubtful authenticity and therefore of little or no value to the serious student of history.

The work abounds in historical inaccuracies, of which the following are examples: Vincennes, not Kaskaskia, was the capital of Indiana Territory in 1807 (p. 28). There were no "Mexican silver dollars" in 1807, since there was no Mexican nation at that date; the Spanish piece-of-eight, which furnished the model for the United States silver dollar, was sometimes cut into eight, not four, "bits" (p. 29). St. Louis had been under Spanish domination for thirty-five years, not "ten years," prior to 1803 (p. 32). There is no convincing documentary evidence that LaSalle ever descended the Ohio River to the present site of Louisville; and the name "La Chine" had been applied to the rapids in the St. Lawrence River above Montreal since the days of Jacques Cartier, nearly a century and a half before LaSalle arrived in Canada (p. 39). There was no "Tennessee Territory" in 1807, it having been admitted into the Union as a state in 1796 (p. 55). The origin of the Mississippi Territory and the date of its organization are both incorrectly stated (p. 56). No sugar plantations existed on the Mississippi in 1807 for a hundred miles below the mouth of Red River, the first sugar plantation above Baton Rouge being established in Pointe Coupée parish about 1815 (p. 58). Acadian houses on the Mississippi were built high on posts or pillars, not on "stumps," to protect them from the frequent overflows of the river, not "for coolness" (p. 59). Louisiana sugar was marketed in hogheads, not barrels," in 1815, and the myth as to the use of cotton bales as breastworks in the Battle of New Orleans has long since been exploded (p. 90). The Battle of New Orleans was fought on the relatively high land between the Mississippi River and the swamps, not in "waist-deep marshes" (p. 96). There was no Caddo Indians on Red River below the rapids at Alexandria in 1815 (p. 97). The "Whig administration of John Quincy Adams" is inaccurate, the Whig party not having been organized until 1834 (p. 144). There was no Spanish settlement on the present site of Natchitoches "before Philadelphia was founded" (p. 172). "Cample" should read "Campti" (p. 188). Texas won her independence from Mexico in 1836, not 1837 (p. 222). The treaty ending the Mexican War was "signed" on February 2, 1848, not in "March"; it was ratified by the United State Senate on March 10, 1848 (p. 234).

There are likewise numerous slips in geography, of which the following are examples: There is an apparent misconception as to the geographical position of Kaskaskia with relation to the Illinois and Mississippi rivers (p. 27). The statement that a steamboat went "down the Balize to the Gulf" evidences a total lack of knowledge as to what the "Balize" is (p. 97). The assertion that a steamboat "floated into the bay at New Orleans" (p. 116) is amusing, as is the statement that another steamboat later "crossed the bay to Mobile" from New Orleans (p. 256). The statement that "For many years, much of the lower Red River country had been disputed ground between French Louisiana and Spanish Florida" reveals a total lack of familiarity with the geography of that region (p. 165). The present state of Utah was a part of the territory acquired from Mexico in 1848 (p. 234).

The notes or citations to sources, which are assembled at the end of the text, are of little value to the reader for purposes of reference. Entire periodical articles, whole volumes, and even multiple-volume works, are cited without any indication as to the pertinent page numbers. And such important manuscript sources as the letters of Henry Shreve are cited without date or any mention as to whom the letters were addressed or from whom received. The reviewer also discovered several erroneous or incorrect citations in the notes.

The extensive bibilography is poorly arranged, and several of the entries are incomplete and some of the authors and titles incorrectly listed. Fortescue "Cuming" is listed as "Cumings" (p. 290), and the same error recurs in all the numerous citations to this work in the "Notes." Reed McC. B. Adams is listed as "Read McAdams" (p. 292) and is also thus cited several times in the "Notes." The reviewer is astonished to find John W. Monette, who died in 1851, listed (p. 293) as the author of an article in the Mississippi Valley Historical Review, Vol. VII (1920-21). The listing of "Smith, John Kendall. A History of New Orleans. Louisiana Historical Quarterly, vol. 16" (p. 294) is undoubtedly an erroneous entry for John Smith Kendall, A History of New Orleans, 3 vols., Chicago, 1922.

The volume contains an adequate index. There are a few fine illustrations of a fanciful or artistic, rather than historical, character. The printers have done a neat job and the volume is very attractive in appearance.

The student of Louisiana history will find in the volume little new information on Henry Miller Shreve's steamboat activities in Louisiana waters or his important work in removing the raft on Red River. But in spite of its many faults and shortcomings from the point of view of the critical historian, the volume is written in a vivid and interesting style and will probably have a wide appeal to the general reader who is not so much concerned about the historical and geographical accuracy of the narrative.

The French in the Mississippi Valley, 1740-1750 (Illinois Studies in the Social Sciences, Vol. XXVI, No. 3). By Norman Ward Caldwell. (Urbana: The University of Illinois Press, 1941. Pp. 113. Paper, \$1.50; cloth, \$2.00.)

This little volume is the result of research undertaken as a doctoral dissertation at the University of Illinois. The scope and character of the work is accurately indicated by the chapter headings: Political and Financial Administration of New France; Population and Industry; The Fur Trade; General Indian Relations; The Indian Uprising of 1747 and the Ohio Question. The dates given in the title of the work delimit rather accurately the period treated, though there is necessarily some overlapping of these terminal dates in order to give the background of some of the events considered or to complete the discussion of some of the matters which had their origin during the period under consideration and extended beyond 1750.

The work contains a mass of information on all phases of the history of the French colonies in the Mississippi Valley during this important period, before the final tug of war between France and England had started in earnest to disrupt the orderly development of the region. But the seeds of this final struggle are evident in the difficulties with the Indians and in the rival French and English claims to the Ohio Valley region.

The author has apparently explored and utilized all the available source materials, both manuscript and printed, on his subject. On the whole the materials are well organized; but at times the reviewer found it rather difficult to follow the main thread of the narrative on account of the mass of details woven into the story. There appears to be much more space devoted to affairs in the upper Mississippi Valley, or the Illinois Country, than to the lower reaches of the French possessions during the period covered. This fact will probably disappoint those who expect to find a lot of Louisiana history in the volume, but the

disproportionate amount of space devoted to the upper country is probably due to the greater amount of source material on that region which was available to the author.

On the whole the author has used his sources skillfully, and the volume is singularly free from errors in proofreading. The reviewer noted only the following minor slips: "Ordinance" for "ordnance" (p. 79, n. 114); "Gavic" for "Garic" (p. 15, n. 37); "salutory" for "salutary" (p. 89).

The footnote citations to sources are in correct form, the evaluated bibliography is extensive and complete, the index is adequate, and the printers have produced an attractive volume.

Librarians and private collectors of works on Louisiana history will do well to add this scholarly little volume to their shelves; and students of Louisiana history will find much of value and interest in this work.

The Man Who Sold Louisiana: The Career of Francois Barbé-Marbois. By E. Wilson Lyon. (Norman: University of Oklahoma Press, 1942. Pp. xix, 240. \$2.75.)

This scholarly biography of Francois Barbé-Marbois is the author's second major contribution in the field of Louisiana history. His first published volume, Louisiana in French Diplomacy, 1759-1804 (University of Oklahoma Press, 1934), set a high standard of historical scholarship and threw much new light upon certain unexplored fields of Louisiana history; and several articles from his pen, published in leading historical journals, have served to illuminate some obscure phases of the same subject.

Native Mississippian, graduate of the University of Mississippi, former Rhodes Scholar from that state, and doctor of philosophy from the University of Chicago, Dr. Lyon did his first college teaching in history at the Louisiana Polytechnic Institute, some fifteen years ago. He later joined the history staff of Colgate University, where he had risen to the headship of the department before being elevated to the presidency of Pomona College in California, about a year ago.

Most students of Louisiana history know that Barbé-Marbois was one of the chief actors in that historic drama which marked the sale of Louisiana by Napoleon to the United States, and also that he later published a history of Louisiana. But, except for

his role in that historic event in which his career touched the history of our state, the average student knows little of the long and interesting public career of Barbé-Marbois before and after the Louisiana Purchase. Born in France on February 1, 1745, while Vaudreuil was serving as governor of French Louisiana, he entered the public service of his native country in 1768, the year in which the French population of Louisiana revolted against Spanish authority; and from that year until the July Revolution of 1830 he was almost constantly employed in some phase of the French public service and administration. Death came to him on January 12, 1837, when he had reached the ripe old age of nearly ninety-two years. Few public men in France or any other country have had a longer, more varied, or more important career than did Francois Barbé-Marbois.

His first contact with the United States and her public men was in 1779, when he arrived here as the secretary to the first French minister accredited to the new Republic. In this capacity and as French consul in Philadelphia and chargé d'affaires of the French legation, he remained in the United States until 1785. And in 1784 he married into a prominent Philadelphia family. He became acquainted with the leading American statesmen of the Revolutionary period, and he remained a friend of this country throughout the remainder of his life, although he never revisited his wife's native land.

Barbé-Marbois was transferred in 1785 to the important post of intendant of the French colony of St. Domingue in the West Indies, where he remained until 1790, being the last to hold that important office. Upon his return to France he retired for some two years to his country estate, before he again appeared in public affairs as one of the moderate leaders of the French Revolution. Holding an important position under the government of the Directory, he suffered a turn for the worse in his political fortunes in 1797, being deported to French Guiana by his political opponents. Upon the rise of Napoleon to power under the Consulate. Barbé-Marbois was allowed to return to France in 1800. And in 1801 Napoleon appointed him to the important position of Director-General of the Public Treasury, and in this capacity he was called upon to make the final negotiations with Livingston and Monroe for the sale of Louisiana to the United States in 1803. He remained in favor with Napoleon and held this post until the abdication of the "Little Corporal" in 1814. With the restoration

of the Bourbons to the French throne, he served as one of the committee of five appointed to draft the Constitutional Charter of 1814, under which France was governed until 1830. He also served under Louis XVIII as Minister of Finance and Minister of Justice and as a member of the Chamber of Peers; and he did not permanently retire from the public service until the July Revolution of 1830, by which the restored Bourbon monarchy was overthrown. At the time of his retirement he had reached the ripe old age of eighty-five years.

All the interesting phases of Barbé-Marbois' public career are discussed in detail and in a masterly manner by Dr. Lyon, and the private life of the man is not slighted in the least. The personality and career of the man are projected against the background of the varied history of the stirring periods through which he lived, moved, and acted the part of a leader for the greater part of the time. His work as diplomat, financier, public administrator, legislator, constitution maker, author, country gentleman, and patrons of the arts and sciences are all pleasingly woven into the narrative.

The author has carefully examined and explored all available sources, both manuscript and printed, on the subject. The writings of Barbé-Marbois were voluminous, as the complete list of these covers four pages of fine print (pp. 194-197). The numerous and scholarly citations to sources, grouped together in the "Notes" following the body of the text proper, reveal that the author has skilfully utilized all the pertinent materials available.

There is an adequate index, and the few illustrations lend interest to the narrative. The format of the volume is attractive, and the reviewer failed to find a single error in printing or proof-reading.

This volume is probably the definitive biography in the English language of that important French public servant who played one of the principal roles in the historic drama by which our state passed from French to American possession. The style and content of the work will appeal as strongly to the general reader as to the critical historian. The volume deserves a place in every public and private library in Louisiana, in particular, and in all other historical collections which seek to obtain the outstanding publications in all fields of history and biography.

RECORDS OF THE SUPERIOR COUNCIL OF LOUISIANA XCII.

August, 1763

(Continued from April, 1942, Quarterly)

By G. Lugano

Revised by Walter Prichard

By the Editor of the Quarterly

List of Officials of Louisiana participating in the work of the Superior Council of Louisiana contained in this installment:

- Dabbadie, Jean Jacques Blaise, Commissioner General of the Marine, Intendant, and First Judge of the Superior Council.
- De la Lande d'Apremont, Charles Marie, Councillor Assessor.
- De Lafreniere, Nicholas Chauvin, Procureur General. Procureur General.
- De Kernion, Jean Francois Huchet, Councillor Assessor.
- De la Place, Joseph Adrien, Councillor Assessor, and acting Procureur General
- Devezin, Pierre Francois Olivier, Councillor, Inspector of Highways. and Surveyor General of Louisiana.

- De Foucault, Nicolas Denis, Councillor Assessor.
- Garic, Jean Baptiste, Royal Notary and Chief Clerk of the Superior Council.
- Lenormand, Marin, Sheriff, and Crier of the Superior Council.
- Bary, Marin Pierre, Sheriff, and Crier of the Superior Council.
- Ducros, Joseph, Attorney for Vacant Estates.
- Pain, Storekeeper for the King and acting Notary and Clerk at Natchitoches.
- Carette, Rev. Father Francois, Jesuit Missionary at the Arkansas Post (1752).
- Devergés; De Reggio; Ducros: Clerks or secretaries of the Superior Council.

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August 1, 1763.

2 pp.

Petition by Jean La Porte to have La Seigne made a party to the suit between La Porte and Flottemanville over a quantity of timber.

Petition to Monsieur Dabbadie, Councillor of the King in the King's Councils, Commissioner General of the Marine, Intendant and First Judge of the Superior Council of the Province of Louisiana:

Jean La Porte, a resident of this city, humbly prays and represents that he was forced to submit to arbitration, by virtue of an order of June 4th last, in relation to a sale of 300 pieces of timber to Sieur Flottemanville, which timber was purchased by petitioner from one La Seigne, inhabitant

of the German Coast.

This considered, petitioner prays that it may please Your Excellency to allow him to summon the said La Seigne and to have him made party to the said suit, so that petitioner may present the reason why he was unable to carry out the said contract of sale. And right will be done.

New Orleans, August 1, 1763. (Signed): Laporte.

August 2, 1763.—Permit to summon to Permit to cite. appear at the first session of the Council.

New Orleans, August 2, 1763. (Signed): Dabbadie.

August 2, 1763.—On August 2, 1763, by Citation served. virtue of the above order and at the request of Laporte, citation was served by the Sheriff of the Council upon Iasseigne to appear next Saturday, sixth of the present month, at eight o'clock in the morning, before the Superior Council to answer with respect to the above petition. (Signed): Bary.

August 1.

5 pp.

Petition to the Superior Council by Jacques Jacquelin and Gabriel Rasteau and Gabriel Rasteau for recovery of 3608 livres, interest and costs, from Chantalou, Clerk, said sum representin commission of 2½% charged by Chantalou for collection and keeping of proceeds of the judicial sale of the brigantine "Le Chasseur". Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Jacques Jacquelin and Gabriel Rasteau, merchants of this city, the latter acting under procuration of Jean Benjamin Rasteau, his brother, merchant of Port-au-Prince, for the purpose of settling his business affairs with the said Jacquelin, have the honor to represent:

That to the end of settling all business matters between the said Jean Benjamin Rasteau and the said Jacquelin, the latter disposed, by judicial sale, on February 17, 1762, of the brigantine "Le Chasseur" of Port-au-Prince, fitted out and equipped at

joint expense, according to the proces-verbal of said sale; and also disposed of one negro captured from the enemy of the state:

That said Jacquelin had entered in his statement a charge of two and a half per cent for collecting and keeping the proceeds

of said sale, the said two and a half per cent amounting to the sum of 3608 livres, retained by Sieur Chantalou, according to his receipt of March 4, 1762;

That said Jacquelin discovered afterward that Sr. Chantalou was only entitled to his usual fees, which were paid him by the purchaser of the brigantine, together with all the judicial costs, as set forth in the aforesaid procès-verbal;

That Sieur Chantalou had no reason for charging the said two and a half per cent, since it had been advertised and proclaimed that one of the conditions and clauses was that payment in full of the purchase price was to be made by the purchaser before adjudication and before delivery of the brigantine, and as a matter of fact the said purchase price was paid at once, by one person only, to the said Jacquelin, and consequently the said funds did not remain in deposit for any time in Sieur Chantalou's hands.

All this considered, petitioners appeal to Your Excellencies' sence of justice and pray that it may please Your Excellencies to order Sieur Chantalou to return and reimburse to petitioners the above specified sum of 3608 livres, together with interest for the time during which said amount remained in his possession; and moreover to condemn him to pay all costs. And right will be done.

New Orleans, August 1, 1763. (Signed): Jacqueline; Gabriel Rasteau.

Permit to cite.

August 1, 1763.—Let Sieur Chantalou be summoned to appear at the first session of the Council. New Orleans, August 1,

1763. (Signed): Dabbadie.

August 2, 1763.—On August 2, 1763, by virtue of the above order, and at the request of Sieurs Jacquelin and Gabriel Rasteau, citation was served by the Sheriff of the Council upon Sieur Chantalou at his residence, to appear before the Superior Council next Saturday, 6th of the present month. (Signed): Bary.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Sieur Ponfrac, Chevalier De Mazan, has the honor humbly to represent: That being compelled, on account of poor health, to return immediately to Europe with all his family, he had recently agreed with Sieur Boré to sell him one-half of his plantation, situated between Mr. De Reggio's property

and the property of the Ursuline Nuns; and, to this effect, petitioner made such agreement by act under private signature, pending the formal and legal act to be executed before the Royal Notary;

August 2.

3 pp.

Petition to the Superior Council by the Chevalier De Mazan for rejection of De Reggio's opposition to the judical sale of one-half of his plantation.

That, having obtained the permit required in such case, petitioner had caused the usual advertisements to be made to the effect that he contemplated selling and was about to dispose of one-half of his land; that, when the judicial sale was ready to be carried out, Monsieur De Reggio filed opposition in the Registry, stating that he would furnish his reasons in proper time and place, and had his opposition served upon the petitioner; that petitioner's belief is that said opposition could only be filed by virtue of the appeal lodged at the King's Privy Council in 1758 by Mr. Derneville, vendor to Sieur De Reggio, from the order of the Superior Council of June 3, 1758; that petitioner has reason to think that since the King's Privy Council has not given any answer to the said appeal, it intended to dismiss same.

For all these considerations petitioner prays that it may please Your Excellencies to allow him to summon Sieur De Reggio at the first session of the Superior Council and that judgment be rendered rejecting his opposition. And right will be done.

New Orleans, August 2, 1763. (Signed): Le Chr. de Mazan.

August, 2, 1763.—Permit to summon to appear at the first session of the Council.

New Orleans, August 2, 1763. (Signed): Dabbadie.

August 2, 1763.—On August 2, 1763, by virtue of the above order, and at the request of Monsieur de Ponfrac Chevalier de Mazan, citation was served by the Sheriff of the Council upon Mr. De Reggio, Captain of Infantry, residing in this city, to appear before the Superior Council next Saturday, 6th of the present month, to answer the above petition. (Signed): Bary.

August 2.

3 pp.

Francois Xavier
Dacosta, acting under
procuration of Martinez,
vs. Ducros, Attorney
for Vacant Estates,
acting in behalf of
the Argous heirs:
Defendant asks that
plaintiff furnish additional evidence in
support of his
demand.

To Monsieur Delaunay, Councillor of the Superior Council, appointed Commissioner in the suit between Sieur Francois Xavier Dacosta, acting under procuration of Joseph Manuel Martinez, and Sieur Durcos, Attorney for Vacant Estates, acting in the name and behalf of the heirs of the late Sieur Argous:

Your Excellency: This lawsuit was referred to Your Excellency so that it could be fixed for trial on a definite date and definitively settled by the Court; and the defendant wishes to submit the following

observations on the matter:

The demand of the plaintiff, who is acting under procuration, is supported by the acknowledgment of the late Sieur Argous; but the defendant cannot admit it as an authentic document, and he insists that it first be compared, so far as the signature is concerned, with a note written by the deceased, which note will be presented by the defendant.

The comparison of the two signatures and their likeness do not fully prove the validity of the obligation, because the defendant was unable to find, among all the papers of the deceased, any document concerning the matter; in fact, nothing has thus far been discovered showing that the said tallow was brought to this city and sold here, or if it had been shipped elsewhere from this city. In spite of all sorts of inquiries, not a single person was found who had any knowledge of the tallow in question, a commodity which, by its nature, cannot be concealed. Therefore one is allowed to doubt that such merchandise had ever been brought to this colony; and, if it had been taken and disposed of elsewhere, it can be presumed that the proceeds of sale were remitted by the deceased from such place.

The power of attorney granted by Martinez to Carta, and by the latter, by means of substitution, transferred to Dacosta, deserves also Your Excellency's attention. The document appears to have been executed before a Notary, but the legalization on same is missing, and its authority can be contested.

For all the foregoing reasons the defendant concludes, that the plaintiff furnish better evidence in support of his demand. New Orleans, August 2, 1763. (Signed): Ducros.

August 2.

2 pp.

Dacosta vs. Ducros: Report to the Superior Council by Delaunay, Commissioner on the case, on the points at issue in this dispute. Report presented to the Court by Mr. Louis Delaunay, Councillor of the Superior Council, appointed to examine into the merit of the suit of Francois Acosta, Spaniard, plaintiff, against Sieur Du Crost (Ducros), Attorney for Vacant Estates, defendant, acting in behalf of the succession of the late Sieur Dargous:

The basis of this suit is an obligation of the late Dargous, written in Spanish and

translated into French by Sieur Garic, for the accommodation of the parties, concerning 1431 pounds of tallow, that he acknowledged having received, when he was in Campeche, from Joseph Manuel Martinez, to be sold to the best advantage of the latter.

The plaintiff, in support of his claims, submitted one power of attorney, in Spanish, granted by Martinez to Jean Christophe Carta, a resident of Campeche, with authority to recover, as soon as he reaches New Orleans, from the succession of the late Sieur Dargous, the amount brought by the sale of said tallow, according to the acknowledgment of the deceased. Said power of attorney was executed before Jacques des Rios, Notary in the city of Campeche, on November 13, 1762, and was certified by

Sieur Destrades, his colleague, also Notary in Campeche; and was subsequently transferred to the plaintiff, by way of substitution, by the aforenamed Carta, this transfer also being written in Spanish, and the whole having been translated into French by Sr. Garic, to accommodate the parties.

The defendant, Sieur Ducros, Attorney for Vacant Estates, in charge of the succession of the late Dargous, submitted a Memoir in which he states his doubts with regard to the authenticity of the said acknowledgment of the late Dargous, as it does not seem to have been written by the deceased; and he asks that the signature on said obligation be compared with the signature affixed by the deceased on a receipt, which is produced by the defendant. Defendant states, furthermore, that he could not find among the deceased's papers anything relating to the matter, and that the merchandise might have been taken and sold elsewhere, and the proceeds of sale remitted by the deceased to Martinez, who neglected, or did not know how and where, to return the obligation to Sieur Argous. Defendant also remarks that the power of attorney by Martinez to Carta and by the latter transferred, by substitution, to the plaintiff, was not legalized by the judge of Campeche.

Having examined and considered the documents furnished by the two parties, the undersigned thinks, save the better decisions of Their Excellencies of the Superior Council, that the defendant, in his said capacity, should remit to the plaintiff the amount of Dargous' acknowledgment in kind, unless he prefers to pay same at the rate of thirty sols per pound, and this within eight days from the day on which the Council's order is served on defendant. Costs compensated.

New Orleans, August 2, 1763. (Signed): Delaunay.

Order to submit above opinion to Procureur General.

August 2.

7 pp.

Succession of Nicolas Ducret called Belhumeur: Procureur General requests the appointment of a Commissioner to affix seals on deceased's property. August 2, 1763.—Let the foregoing be communicated to Monsieur the Procureur General for his conclusions, as he may see fit. (Signed): Delaunay.

To Monsieur D'Abbadie, Commissioner General of the Marine, Intendant of the Province of Louisiana, and First Judge of the Superior Council of this colony:

The Procureur General of the King represents that he has just been informed of the death of Sieur Belhumeur, shoemaker of this city, and requests that a Councillor be appointed Commissioner in this case to affix seals on the deceased's property and

effects, as the deceased had an interest in three communities, in which some minors and perhaps some absentees are interested.

New Orleans, August 2, 1763. (Signed): Lafreniere.

August 2, 1763.—Permit to affix seals, as above requested, by Mr. Kernion, appointed Councillor Commissioner on this case, and in the presence of the Procureur General of the King. New Orleans, August 2, 1763. (Signed): Dabbadie.

August 3, 1763.—On August 3, 1763, Affixing of seals, at seven o'clock in the morning, at the request of Monsieur De la Freniere, Procureur General of the King, and by virtue of the order of yesterday of Monsieur Dabbadie, First Judge of the Superior Council, Monsieur Jean Francois Huchet de Kernion, Councillor of the Superior Council, appointed Commissioner in this case, accompanied by the Procureur General of the King, by the Clerk and by the Sheriff of said Council, went to the residence of the late Sieur Nicolas Ducret called Belhumeur, on St. Peter Street, to affix seals on the belongings of the succession, and to make a description of the effects that might be found in full view. And, upon entering the said residence, the aforesaid Councillor Commissioner met Madame Ducret, the deceased's widow, and Sieur Nicolas Ducret, her son, who both stated, under oath, that nothing belonging to the deceased's succession had been concealed, removed or taken away. Then the Councillor Commissioner proceeded as follows:

Firstly: in the first room upon entering the house were found: one pair of andirons, two coal shovels and one saucepan;

Item, one small Provence jar, one arm-chair and six walnut chairs:

Item, one claw-footed walnut table and two cypress dining-tables;

Item, one large gilt-framed mirror;

Item, two dozen dishes and one dozen small Fayence plates; and three iron candlesticks;

Item, one cypress cupboard;

Item, one gravy-ladle, seven silver covers, two water-jugs, one cruet-stand, one sugar-bowl, and three cups with their saucers: all of Fayence;

Item, one small mirror with a wooden frame;

Item, one walnut cupboard closing with lock and key.

In the next room were found: one cypress bedstead, two mattresses, one featherbed, one bolster, one woolen blanket, and one cotton mosquito-net;

Item, one cypress bedstead, one mattress, one bolster, and one pair of sheets;

Item, one four-legged walnut table, and one chest in bad condition;

Item, one mahogany chest of drawers, upon which seals were affixed;

Item, a small cypress armoire, on which seals were affixed;

Item, in the next room were found: one double-door cypress armoire containing wearing apparel used by the said Madame the Ducret, and by her children;

Item, one walnut bedstead, one mattress, one featherbed, one pair of sheets, one bolster, and one linen valance in bad condition;

Item, one cypress bedstead, one straw-mattress, one featherbed, one sheet, one bolster, and one blue linen valance;

Item, one walnut table and one stuffed-chair.

In the kitchen were found in full view: one pair of andirons, one copper saucepan, four copper kettles, one strainer, four flatirons, and one skewer in bad condition;

Item, seals were affixed on a bunch of keys;

Item, one washtub, one bucket and two pails;

Item, on the gallery were found in evidence: one large cypress table and one salting-tub;

Item, three pairs of eye-glasses, two pickaxes and three hatchets:

Item, two negroes and two negresses:

The whole of which was left in the care and possession of the said Madame the widow Ducret, who willingly took charge of same and promised to produce them again whenever requested so to do by the Court.

(Signed): Ducrée; Lenormand; Huchet de Kernion; Garic, Clerk.

Madame widow Ducret declared that she could neither write nor sign.

August 4.

4 pp.

Petition to the Superior Council by De Reggio, seeking to have advertisement for judicial sale of De Mazan's plantation held null and void. Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Sieur De Reggio, Captain of one of the companies of colonial troops, humbly prays and represents: That, having learned from public advertisement, that Sieur De Mazan was about to sell a plantation, he had filed opposition at the Registry of the Superior Council on July 25th last, and the said sale was suspended; that petitioner's opposition

is based upon the fact that the aforesaid plantation is formed in part of land belonging to petitioner, as Sieur de Mazan himself admits in his petition of August 2nd last, by which he seeks to have the opposition of the petitioner dismissed; that in the following citation it is stated that Sr. de Mazan reserved to himself one-half of the plantation to satisfy the claims of the petitioner, and therefore he acknowledges that he unjustly enjoys some land not belonging to him; that petitioner is entitled to know which part of the plantation is to be sold, since this might be the part which is the object of litigation before the King's Privy Council.

All this considered, petitioner prays that it may please Your Excellencies to order that the said advertisement relating to the sale of one-half of Sieur De Mazan's plantation shall be null and void, or that the said land shall be mortgaged until final decision of the Privy Council of the King. And right will be done.

New Orleans, August 4, 1763. (Signed): De Reggio.

August 4.

2 pp.

Chantalou, wishing to leave the colony and settle in France, requests authorization to render an account of the successions in his charge, to the Attorney for Vacant Estates.

Petition to Monsieur Dabbadie, Commissioner General of the Marine, Intendant and First Judge of the Superior Council of the Province of Louisiana:

The undersigned Mr. Chantalou very humbly prays and has the honor to represent: That he is endeavoring to settle all his business in this colony, so that he would be able to leave for France; that he is still in charge of several vacant successions of little importance, as well as of two or

three other successions for which he is attorney in fact.

Wherefore petitioner prays that it may please Your Excellency to authorize him to render his account to the Attorney for Vacant Estates, and to deliver to him all funds and papers concerning the said successions, the whole to take place before such Commissioner as it may please Your Excellency to appoint in this case, and in the presence of the Procureur General of the King.

New Orleans, August 4, 1763. (Signed): Chantalou.

Procureur General requests that Chantalou render his accounts to Ducros, Attorney for Vacant Estates, and to Garic, Chief Clark. August 6, 1763.—In the King's name, I request that Sieur Chantalou render his accounts within one month, under penalty of law, to Sieur Ducros, Attorney for Vacant Estates in this city, before such Commissioner as it may please the Court to appoint, and in the presence of the

Procureur General of the King. I request, furthermore, that Sieur Chantalou render his account and remit all funds to Master Garic, Royal Notary and Chief Clerk of the Superior Council, in reference to all the successions for which Sr. Chantalou had

been appointed Curator by the Council; this also within one month, and under penalty of law.

New Orleans, August 6, 1763. (Signed): Lafreniere.

August 4. August 4. August 4. Marie De la Lande Dapremont, Control of the Superior Council of this appointed Commissioner on the Crandpré. The King, by the Clerk and by the Sheriff of the Council the Court to hold the sale and adjudication, to the last and bidder, of some furniture and effects belonging to the soft the late Monsieur De Grandpré and to the community the said deceased and his widow, which sale had be advertised, and was carried out as follows:	dame the as tutrix Charles Councillor province, as case, eneral of went to d highest uccession between
First, there were put up and offered for sale two emishirts and four nightshirts, which were adjudicated Nicolas Boucher for the sum of 120 livres:	to Sieur
Item: four embroidered shirts and two plain ones, adjudicated to Sr. Charles Barrois for 79 livres:	79
Item: five pairs of knitted stockings and two pairs of silk stockings, adjudicated to Sr. Dehais for 44 livres:	44
Item: six shirts, of which two are embroidered, two scalloped and two plain ones, adjudicated to Sr. Fouchout, shoemaker, for 87 livres:	87 – –
Item: six other shirts similar to the above, adjudicated to Sr. Delatre for 98 livres:	98
Item: six other shirts similar to the above, adjudicated to Sr. Dehais for 77 livres:	77
Item: six other shirts similar to the above adjudicated to Sr. Barthelemy Robert for 81 livres:	81
Item: twenty-three ells of Rouen linen, adjudicated to Sr. Fouchout for 245 livres:	245
Item: four pairs of cotton stockings, two pairs of silk stockings and two pairs of gaiters, adjudicated to Sr. Dehais for 50 livres:	50
Item: eighteen old handkerchiefs, adjudicated to Sr. Betune for 23 livres:	23
Item: nineteen blue handkerchiefs, new, adjudicated to Sr. Charles Tarascon for 205 livres:	205
Item: seven calico handkerchiefs, adjudicated to Sr. Laderoute for 90 livres:	90

Item: four waistcoats, one pair of large breeches		
and one calandry coat, adjudicated to Sr. Hardy for 21 livres:	21	
Item: five seersucker coats, adjudicated to Sr. Bergue for 70 livres:	70	
Item: one military uniform, one laced coat and one pair of breeches, adjudicated to Bailly, soldier, for 116		,
livres: Item: one military uniform embroidered in gold,	116	
one laced coat and one pair of breeches, adjudicated to Sr. Rodrigues for 155 livres:	155	
Item: one military uniform of Brandebourg cloth, one embroidered coat and one pair of breeches, adjudi-	220	
cated to Sr. Boby de Beausoleil for 330 livres:	330	
and one pair of breeches, adjudicated to Bailly, soldier, for 122 livres:	122	
Item: one military uniform, one velvet waistcoat of Spanish point and three pairs of breeches, adjudicated	175	
to Sr. Boby for 175 livres:	175	
two pairs of breeches, adjudicated to Sr. Barthelemy Robert for 55 livres:	55	
62 livres:	62	
Item: one riding-coat and one robe, adjudicated to Sr. Hardy for 15 livres	15	
Item: one taffeta robe and one calico robe, adjudicated to Sr. Hardy for 27 livres:	27	
Item: twenty-three collars, eight trimmed caps, and one cotton cap, adjudicated to Sr. Marchand for 45 livres:	45	
Item: thirteen ells of polonaise, adjudicated to Sr. Briant for 75 livres:	75	
Item: one walking-stick with gold head, adjudicated to Sr. Durel for 85 livres:	85	
Item: two silver-trimmed snuff-boxes, one pair of opera-glasses, one set of chess, three pairs of eye-glasses, some buttons, and one steel eraser, adjudicated to Sr.		
Boby for 53 livres:	53	
Item: one inkstand, two steel erasers, two spurs, four boxes of Spanish tobacco, adjudicated to Sieur Guerineau, muff-maker, for 40 livres:	40	
Item: "Lettres Juives" in six volumes, adjudicated to Sr. Pech for 30 livres:	30	
Item: five volumes of "L'Ecole Militaire", adjudi-		
cated to Sr. Gadobert for 80 livres:	80	

Item: four volumes of "Memories de Mr. Fuquier", adjudicated to Sr. Nicolas Boucher for 46 livres:	46
Item: twenty-one books of divers authors, adjudicated to Sr. Marchand for 52 livres:	52
Item: three mattresses of Spanish moss and one crib, adjudicated to Sr. Charles Barois for 42 livres:	42
Item: sixteen waistcoat buttons, two compasses, three soap-boxes, one steel eraser, one table with one drawer, one hatchet, one pickax, one hammer, one fryingpan, two coffee-pots, one lot of whalebone, adjudicated to Sr. Marchand for 60 livres:	60
Item: one fish-kettle and one dripping-pan, adjudicated to Sr. Becat for 76 livres	76
Item: one trimmed tortoise-shell case, adjudicated to Sr. Rodrigues for 10 livres:	10
Item: one watering-pot, one boiler, two saucepans, one red copper kettle, one stewpan, one gunpowder-horn, one iron chafing-dish, and one half-pike, adjudicated to Sieur Gadobert for 80 livres:	80
Item: one fan, adjudicated to Sr. Becat for 16 livres:	16
Item: one long kitchen table, one small chest, and one cage, adjudicated to Sr. Donato for 25 livres:	25
Item: one soup-tureen, one salad-bowl and ten Fayence plates, adjudicated to Sr. Donato for 75 livres:	75
Item: fourteen porcelain dishes, four saucers and two earthen pans, adjudicated to Sr. Becat for 41 livres:	41
Item: ten table-knives, two small washtubs, one table jug, one water-jug, adjudicated to Sr. Boutet Lalime for 15 livres	15
Item: eleven other table-knives, fourteen flasks large and small, adjudicated to Sieur Donato for 41 livres:	41
Item: two iron-hooped buckets, adjudicated to Sr. Durel for 44 livres:	44
And these being mathing also to adjudicate the soid	

And there being nothing else to adjudicate, the said judicial sale was closed, and its proceeds, in the sum of 3438 livres, were entrusted to the said Clerk, who took charge of same, and who shall render an account to whom it may lawfully concern.

New Orleans, August 4, 1763. (Signed): De la Place, acting for the Procureur General of the King; Delalande; Garic, Clerk.

All pages of the document are paraphed at the top and signed at the bottom by Delalande.

Court costs of the above judicial sale.

August 10, 1763.—Court costs, according to the statement approved by the judge, amounting to the sum of 555 livres:..... 555 -

Commission at the rate of one sol per livre, on the total of 3438 livres, amounting to the sum of 171 livres and 18 sols: 171 - 18 -

Total of judicial expenses: 726 - 18 -

Which, deducted from the total proceeds of sale, amounting to 3438 livres, leaves the sum of 2711 livres and 2 sols to be remitted to the said Madame the widow Grandpré.

Madame Grandpré's receipt for the net proceeds of judicial sale.

August 10, 1763.—The amount of 2711 livres and 2 sols was at present paid by Mr. Garic, Clerk, to the said Madame Grandpré, who, by these

presents, granted him full discharge and release.

New Orleans, August 10, 1763. (Signed): Widow Grandpré.

August 5.

3 pp.

Olivier vs. Corail: Argument presented by Viviat, attorney in fact, in Corail's

Memorandum of Argument presented in the suit between Sieur Corail and Sieur Olivier:

One of the main points on which Sieur Olivier bases his case is that Sr. Corail put into Campeche with the brigantine "Le Franc Macon"; but the motive for such action is confirmed by a declaration of

Sieur Milhet, merchant of this city, and a passenger on said brigantine, and by one of the officers of the vessel. What probability is there that Sr. Corail, who had a half interest in the fitting out and equipment of the said vessel, should for his own pleasure stop at Campeche? It is opposed to common sense for one deliberately to act contrary to his advantage. Their Excellencies of the Superior Council are too intelligent not to understand the quibbling of Sieur Olivier. It would be too hard a rule to impose liability on shipmasters when they are compelled to put into port in the interest of the shipowners.

Their Excellencies of the Superior Council will allow me to point out that Sr. Corail had an interest in the vessel, and that one partner is not supposed to receive orders from another partner, and this was acknowledged by Sr. Olivier in the agreement of March 22, 1762, where he stated that he granted Sr. Corail full power in all matters concerning navigation, as well as the choice of ports for conducting prizes or carrying freight.

The other point set forth by Sr. Olivier relates to the expense contracted at Campeche, which represented only the essential needs for the vessel, provisions, ammunition and additional sailors required to work the vessel and for defense against the enemy.

Sieur Corail would not have acted as he did if he had not found it necessary, since he had one-half interest in the vessel, and therefore he had to assume one-half of all the said expenses. One of the officers, in a declaration which Sr. Corail will produce, stated that the provisions taken on in New Orleans were found spoiled.

The two foregoing points were arbitrated by clear-sighted merchants, whose decision was that such expenses were to be prorated between the parties interested in the equipment of the vessel, and to be accounted for accordingly.

The third point concerns the capture of the said vessel by two privateers, one armed with twelve guns, and the other with fourteen guns, according to declaration made before the Consulate at Havana.

When the Court will render its judgment in this case, may it please the Court to state whether Sr. Corail had authority to stop at Campeche, in view of the fact that he had full power over navigation, and if the expenses made at Campeche are to be charged to the account of the parties interested in the vessel; and if the capture of the vessel is to be considered as a loss of all the parties interested in it.

The petitioner refers to the conclusions presented in his petition for payment of the sums that Sr. Olivier received from Sr. Braquier, together with interest and costs.

(Signed): Viviat.

(Translator's Note.—The document is undated, but the date of "August 5, 1763", appears in blue pencil in the margin.—G. L.)

August 5.

3 pp.

To Their Excellencies of the Superior Council: Answers filed by Antoine Olivier to the petition of Sr. Viviat, served on him on July 22, 1763:

Olivier vs. Corail:
Answer of Olivier to petition of Viviat, presented above.

With no intention of delivering a long discourse that would annoy this august Tribunal, your respondent expresses the desire

that Your Excellencies render a decision based upon the truth, after due consideration of the documents furnished in reference to the partnership he made with Sr. Jacques Corail.

Petitioner represents that on March 20, 1762, he and Sieur Corail formed a partnership, each having an equal interest, for the purpose of buying, fitting out and navigating the brigantine "Le Franc Masson" for privateering, carrying freight and trading with Cap-Francais, St. Domingo, under the command of the said Sieur Corail; that the said brigantine set out from this port on March 30th of last year, with a crew of thirty men, and equipped with all rigging, arms, ammunition, and provisions sufficient for the whole trip; that Sr. Corail, as soon as he left the River and

was out at sea, directed his cruise towards the port of Campeche, which he reached on April 8th, and this without any order from the petitioner and without being compelled to do so by any legitimate need or necessity; therefore such stop at Campeche was only in Sr. Corail's particular interest, and contrary to the partnership agreement.

Had Sr. Corail, as holder of a half interest in the partnership, the right to change the destination of the aforesaid vessel, and to unload her cargo at Campeche, where it was exposed to greater danger, and to re-equip the vessel in the course of her cruise without the advice and consent of the other partner? The said change of equipment was so prejudicial that it was the cause of the loss of the vessel. Sr. Corail in vain states that he was compelled to put into Campeche, it having been proven that he had so planned wilfully and with premeditation before his departure from the River; and such evidence is so manifest that Mr. Huchet de Kerignon (Kernion), who was on board, by order of the Governor, to pass judgment on the conduct of Sr. Corail, granted an authentic certificate to that effect.

Petitioner has the honor to explain furthermore that all vessels cleared from one port to another, are not authorized to put into any different port, unless forced to do so by some extraordinary event, and this has to be proven by a proces-verbal drawn up at the moment of the change of the course of navigation and also by a declaration made upon arrival at such port, in default whereof the Captain or shipmaster is personally liable for all consequences that might ensue, as well as for the expenses involved in the stopping; that Sr. Corail not only finds himself in such a position of responsibility, but is also liable for having wilfully planned to go to Campeche.

For all the foregoing well-founded and just reasons, your respondent declined to approve and sign the accounts, as he did not intend to be involved in any of these improper expenditures, and the case was referred to arbitrators, appointed by the parties, which arbitrators could not agree on their decisions, petitioner's arbitrator having refused to sign the judgment rendered by the said arbitrators, and homologated by Mr. de Fouqueau (Foucault).

In order to comply with the said decision petitioner signed a statement of account presented to him by Sr. Viviat, who assured the petitioner that this would not in any way prejudice his appeal, which petitioner had already taken and also had caused it to be served.

Sieur Viviat, in his capacity of Sieur Corail's attorney, is now basing his demands upon such statement of accounts, and therefore is taking advantage of the good faith of petitioner. Sieur Viviat falsely represents in his petition that a gale from the north,

together with the weakness of the vessel, and the incompetence of the crew, forced Sieur Corail to change his course as soon as he left the Mississippi and entered the open sea. All the sailors of this city who know the said crew say that they were competent and sufficient to work two of such vessels in any sea of the world.

When Sr. Viviat states that petitioner has taken advantage of the good faith of Your Excellencies, he makes a public attack upon petitioner's reputation, but it will be impossible for Sr. Viviat to offer any evidence in proof of his accusation.

The defendant concludes by praying Your Excellencies that Sr. Viviat, as Sr. Corail's attorney, be condemned to sustain all the expenses incurred in consequence of the putting into Campeche, as well as all the loss of the freight and of the vessel; and to pay all damages, interest, and costs; and prays also that the statement of accounts, upon which Sr. Viviat is basing his demands, be declared null and void. And right will be done.

New Orleans, August 5, 1763. (Signed): A. Olivier.

To Their Excellencies of the Superior Coun-

August 5.

2 pp.

Rasteau and Jacquelin vs. Chantalou: Answer of the defendant. cil of the province of Louisiana:

The undersigned has the honor to answer
the citation, served on him this day at the

the citation, served on him this day at the instance of Sieurs Jacquelin and Rasteau, by expressing his surprise at being asked to return the money he received as his com-

mission on the sale of the brigantine "Le Chasseur" and of a negro, which sale took place about eighteen months ago, since your respondent reached an agreement in the matter with Sr. Jacquelin, as he is accustomed to do with all people who entrust him with the duty of collecting proceeds of judicial sales, which agreement is proved and confirmed by the process-verbal of the auction and by the receipt granted the defendant by Sr. Jacquelin and written beneath the said process-verbal.

It is true that the said judicial sale was advertised with the cash payment clause, according to custom, but this is a formality never observed in this colony, as proven by the trouble and vexation of the Clerk in trying to collect the cash payments. Even if the defendant had received the sale price in cash, and such was not the case, he remained in charge of said funds, at his risk and peril, from February 17, 1762, to March 4th, when he delivered same to Sr. Jacquelin, who granted him release in full.

For all the foregoing considerations, the defendant, relying on Your Excellencies' sense of justice and equity, prays that the plaintiffs' demands be rejected.

New Orleans, August 5, 1763. (Signed): Chantalou.

August 6.

Mondion vs. Laurent Lerable called St. Laurent: Report to the Court by Olivier Devezin, Inspector of Highways, concerning area of city property sold by St. Laurent to Mondion. Report made by virtue of the order of the Superior Council of May 7, 1763, concerning the lawsuit between Sieur Mondion, a resident of this city, plaintiff, and Sieur Laurent Lerable called St. Laurent, also a resident of this city, defendant:

The undersigned, Councillor of the King, and Commissioner of Highways of this

province, represents:

That he has read the order of the Superior Council directing that a report be presented by him in reference to the litigation that has existed for a long time between the aforesaid Sieur Mondion, plaintiff, and Sieur Laurent Lerable called St. Laurent, defendant, concerning a plot of ground situated in this city, with respect to which, according to the contention of plaintiff in his petition to the Council, Mr. Desverges, civil engineer, had rendered a judgment condemning Sr. St. Laurent to deliver to the plaintiff ten toises of land fronting on Bourbon Street and twenty toises in depth on St. Philip Street, in compliance with the rule of his (Desverges') predecessors, who insisted that what is called "frontage of a corner lot" must be understood as "from the upper to the lower part of the River"; and what is called "depth" must be understood as from the River to the Woods, or from the Woods to the River;

That such representation of Sr. Mondion seems all the more unfounded, when we bear in mind that Sieur Devergez could not ignore the fact that, although the frontage of lots in this city, being part of the squares which make up the city, is fixed, according to the city plan, with lines parallel to the River, such division could only in the beginning have the force of law, since the owners of the plots of ground were not bound to observe the original division, which they changed at will, without altering, however, the disposition of the streets and the limits of the city, as they are shown by the actual distribution of most of the city lots, as well as by nearly all the deeds of sale, in which mention is always and expressly made, when referring to a piece of ground to which the vendor has given a direction parallel or perpendicular to the River, that it must be understood as measuring ten toises frontage by twenty toises in depth, provided that there are no fixed boundaries that control, in which case one must be governed accordingly by them:

That such arbitrary sale of the city property created the present situation, which could not be rectified without a total change in the distribution of the city lots and of the deeds relating to them; that this is proven by examining the act of sale of December 24, 1748, which has given origin to the present litigation, and which shows that the said St. Laurent sold to Sieur Perret a piece

of ground plus one toise, situated in this city at the corner of Bourbon Street, adjoining on one side the property of one Philipon, and on the other side the property of widow Bidaux, "on which ground, it is declared in the act, stands a frame house, etc.", with no mention regarding the frontage, the depth or the area; so that one can give to said act a meaning different from the one apparently given by Sieur St. Laurent, who intended to sell to Sieur Perret the value or the contents of a parcel of ground measuring eleven toises front by twenty toises in depth, representing an area of 7920 square feet, which is the same area that Sr. St. Laurent intended to deliver to the aforesaid Mondion, according to the survey performed by the undersigned upon request of the parties on November 17, 1758, showing at that time a frontage of 14 toises and 4 feet, the whole being equivalent to 88 feet, on St. Philip Street, by a depth of 15 toises, equivalent to 90 feet, on Bourbon Street, and representing an area equal to the 7920 square feet formerly reported; which area was enjoyed by Sieur Perret, the first purchaser, who in a written statement, herewith annexed (document missing from file), dated June 30th of the present year, declared that he had been in possession of the said property for five years.

For all the foregoing considerations the undersigned concludes that the demands of the said Mondion, plaintiff, be rejected, and that the said St. Laurent, defendant, shall deliver him seven thousand nine hundred and twenty square feet of land, adjoining on one side the property of widow Bideaux and on the other side the property of one Philipon.

Done at New Orleans, on August 6, 1763. (Signed): Olivier Devezin.

August 6.

3 pp.

Petition to the Superior Council by Joseph Ducros, Attorney for Vacant Estates, requesting judgment as to the validity of the last testament of Francois Breton, who died in Natchitoches with no heirs in the colony.

Petition to Their Excellencies of the Superior Council of Louisiana:

The undersigned, Joseph Du Cros, Attorney for Vacant Estates, humbly prays and represents: That, having been informed of the death of one Francois Breton, a resident and merchant of Natchitoches, he inquired whether he died intestate; that certain officers, among whom Mr. Le Doux and Mr. Fazende, and certain travelers, among whom Mr. Menard, and other inhabitants

who came down here from said Post, all assured petitioner that the said deceased had no heirs in the colony, who might have filed opposition to the dispositions of the testament; that petitioner, by virtue of his office, considered it his duty to intervene, and, having alled a petition to such effect, the Court ordered him to take cognizance of the testament; that the said petition was sent to Natchitoches, addressed to Sieur Pain, storekeeper and acting Notary and Clerk, who, in compliance with the petition, sent petitioner an

account of the sale he executed of the assets of the aforesaid succession, and the terms of payment he granted in order to obtain the best results, and sent also a statement concerning the status of the succession, with all credits and debits; that all the aforesaid data do not interest petitioner, who is only concerned about the validity of the testament.

Wherefore petitioner prays that it may please Your Excellencies to render a final decision with respect to the validity or invalidity of said testament; and, in case its validity is recognized, to order that the heir furnish a good and sufficient security to meet the claims that might be presented in the future by the deceased's wife, should there be one, or by his children, if he left any. And justice will be done.

New Orleans, August 6, 1763. (Signed): Du Cros.

Recommendation of the Procureur General in the above matter.

August 6, 1763.—I submit, in the King's name, that the will be declared valid; that the heir be discharged, with reference to the legacies; that he enjoy the remainder

of the succession; and that he furnish sufficient and valid security to be delivered, in proper time and place, to whom it may concern.

New Orleans, August 6, 1763. (Signed): Lafreniere.

August 6.

3 pp.

Petition to the Superior Council by Jean Baptiste Garic, Chief Clerk of said Council, concerning conditions he found upon taking over the offices of Clerk and Notary. Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Master Jean Baptiste Garic, Chief Clerk of the Superior Council, humbly prays and represents: That, having taken over the Clerk's Office and the Notarial Office by good and true inventory, he was surprised that there were not any deposits, or money accumulated from fines. Yet, after accurate research, he discovered that Sieur Chanta-

lou, formerly performing the functions of said office, was still holding several deposits, money collected from fines and from successions, and amounts held for heirs; that petitioner took up the matter with Sieur Chantalou, who gave only promises, but never felt it his duty to render an account;

That petitioner has to represent furthermore that there were not found documents nor minutes concerning the said deposits, fines and successions; and that it is therefore fit and proper that the public be notified and made acquainted with this condition and be given a convenient time in which to file declarations and statements, in reference to these matters, in the Registry of the different places within the jurisdiction of the Superior Council.

And, finally, petitioner represents that it is not just and fair that he, as the new Clerk, should assume all risks concern-

ing the deposits that will be transferred to him, and not derive any benefit therefrom, as the fees of such deposits are usually

paid to the former official.

Wherefore petitioner requests the conclusions of the Procureur General of the King on the foregoing representations; and concludes: That it may please Your Excellencies to allow him to have Sieur Chantalou summoned before the Council, at its first session, and that decision be rendered condemning him, under penalty of arrest, to deliver to petitioner all deposits and fines, and to render to him an account of all successions in his charge; to further remit same to petitioner in the specie and money in which they were paid and received. And this to be executed before the Commissioner that Your Excellencies will be pleased to appoint;

That it may also please Your Excellencies to issue an order, to be read, published and posted in all the Posts of this colony, directing all persons having deposits, or who paid fines, or who have claims in successions, to make a statement to that effect within the term of one year, to start from the date of publication, at the Registry nearest to the place of their residence; directing the Clerk of each jurisdiction to send the aforesaid declarations to the Chief Clerk, within the same term of one year; and ordering that in default of said declarations by the persons hereinabove specified, their claims be forfeited;

That it may please Your Excellencies furthermore to order that the Clerks, in remitting the deposits to their successors, shall not keep for themselves more than one-half of the fees, as it is not right that the successors should, without remuneration, incur the risks involved in the custody of same. And right will

be done.

New Orleans, August 6, 1763. (Signed): Garic, Clerk.

Conclusions of the Procureur General on the above petition. August 6, 1763.—I submit, in the King's name, that a Councillor be appointed Commissioner on this case, and that before him, in the presence of the Procureur General

of the King, the said Sieur Chantalou shall produce, within one month, under penalty of being compelled thereto, all the minutes, titles, deeds and documents concerning deposits, fines and funds; that Sieur Garic, Notary and Clerk, shall examine, in his official capacity, all accounts relating to said deposits and funds; that the said deposits and funds shall be remitted to Sieur Garic, who shall grant good and valid discharge for same; and that, in default of so doing, Sieur Chantalou shall be compelled thereto by arrest.

I also submit that an order be issued, read and published in the usual places of this city, and in all the Posts of the colony, directing all persons, without exception, to file their declarations at the Registry of their respective jurisdictions, within the term of one year, under penalty of forfeiting all their claims concerning all deposits and funds deposited in the Registry for their own account or for account of others, excepting, in accordance with the King's decree, all claims of absentees and minors.

New Orleans, August 6, 1763. (Signed): Lafreniere.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

August 6.

2 pp.

Petition to the Superior Council by Marin Lenormand, Crier of the Superior Council, offers his resignation, on account of illness and old age, and prays that Marin Pierre Bary, his son-in-law, be appointed as his successor.

Marin Le Normand humbly prays and represents: That for twenty-seven years he has performed the duties of Crier of the Superior Council of this province; that now, on account of advanced age, persistent illness and weakened vitality, he is no longer in condition to continue his services; that he filled his office with all possible earnestness and general satisfaction to the public; that he never received any salary for all

the services, which were very numerous, both in civil and criminal matters; that for some years he has felt crushed by the weight of old age, and he now desires to be succeeded by his son-in-law, whom he trained and made capable of performing the duties of the aforesaid office, and who has the good moral character and irreproachable conduct required of one called upon to fill the said office.

For all the foregoing considerations, petitioner prays that it may please Your Excellencies to accept his resignation and to appoint, as his successor, his son-in-law, Marin Pierre Bary. And petitioner shall offer up prayers to Heaven for the preserva-

tion of Your Excellencies.

New Orleans, August 6, 1763. (Signed): Lenormand.

Procureur General gives his advice in favor of the above petition. August 6, 1763.—I consent, in the King's name, that Sieur Marin Pierre Bary be appointed Crier after having been sworn in, and after testimonials as to his good

moral character have been submitted to the Court. New Orleans, August 6, 1763. (Signed): Lafreniere

August 6.

No. 8437. 21 pp.

Succession of Nicolas Ducret called Belhumeur: Procureur General requests appointment of a Commissioner, before whom family meeting may be convened for the selection of a tutor and an under-tutor to the minors; and that the seals affixed on property of the deceased may be raised, in compliance with the wish of the widow Ducret.

Petition to Monsieur Dabbadie, Commissioner General of the Marine, Intendant of the Province of Louisiana and First Judge of the Superior Council:

The Procureur General of the King represents that the widow Belhumeur wishes to raise the seals affixed on the property left by her late husband. And, as minors are interested in said succession, and some absentees might also have an interest in same, the Procureur General requests that a family meeting be convened of the relatives, or, in their default, of the friends of the said minors, to deliberate on the selection of a tutor and of an under-tutor; the

said meeting to be held before such Commissioner as it may please Your Excellency to appoint.

New Orleans, August 5, 1763. (Signed): Lafreniere.

August 5, 1763.—Order granted to remove seals and to convene a family meeting of the relatives, or, in their default, of the friends of the minors, to select a tutor and an undertutor, before the Commissioner and in the presence of the Procureur General of the King.

New Orleans, August 5, 1763. (Signed): Dabbadie.

Notice of the family meeting served on relatives and friends of the Ducret minors.

August 6, 1763.—On August 6, 1763, by virtue of the foregoing order and upon request of the Procureur General of the King, the Sheriff of the Superior Council served notice on the following relatives and

friends of the minor children of the late Sieur Nicolas Ducret called Belhumeur, to-wit:

Sieur Nicolas Ducret called Belhumeur, step-brother of the said minors; Sieur Andry, cousin by marriage of said minors; Sieur Francois Langlois, merchant, friend of said minors; Sieur Michel Forstier, merchant, friend of said minors; Sieur Timballier, a resident of this city, friend of said minors; Sieur Negrier, a resident of this city, friend of said minors; Sieur Ducherf, mattress-maker, friend of said minors; and Madame the widow Belhumeur, mother of said minors: to appear today at three o'clock P. M., before Monsieur de Kernion, Councillor of the Council, appointed Commissioner on this case, at his office, in the presence of the Procureur General of the King, to express their opinion and to deliberate on the selection of a tutor and of an under-tutor for the said minors. (Signed): Bary.

Order for raising of seals and for taking inventory of property. August 6, 1763.—Order granted to raise seals affixed on property left by the late Belhumeur, and to take inventory of same, in accordance with the request of the

Procureur General of the King. New Orleans, August 6, 1763. (Signed): Dabbadie.

Family meeting selects a tutor and an undertutor to the Ducret minors. August 6, 1763.—The family meeting took place on August 6th, before Mr. Huchet de Kernion, Commissioner in this case, and in the presence of the Procureur General

of the King, and the following persons were present:

Sieur Nicolas Ducret called Belhumeur, step-brother of the Ducret minors; Sieur Andry, cousin by marriage of the minors; and Sieurs Francois Langlois, Michel Forstier, Filiosa Timballier, Negrier and Ducherf, friends of said minors; and Madame the widow Belhumeur, the minors' mother; who, having promised,

under oath, to give a sincere and honest opinion on the subject matter, expressed themselves as follows:

The said widow Belhumeur declared that she left the decision to the discretion of the relatives and friends; and the latter unanimously designated the said Madame Magdeleine Roy, widow of the aforesaid defunct and mother of the Ducret minors, as tutrix, and Nicolas Ducret, the minors' step-brother, as undertutor; and both willingly accepted the trust and promised to perform the duties thereof.

(Signed): Ducrée; Andry; Negrier; Philiosa; Langlois; Lafreniere; Fortier.

Madame Magdeleine Roy, widow Belhumeur, and Ducherf declared that they could neither write nor sign.

Homologation of deliberations of family meeting. Whereupon the undersigned, Councillor Commissioner, with the consent of the Procureur General of the King, ordered and does order that the said Madame Magde-

leine Le Roy be tutrix for the Ducret minors for the purpose of taking care of their persons and of administering their property; and Sieur Nicolas Ducret be under-tutor, in accordance with the advice of the minors' relatives and friends, whose deliberations are hereby homologated. And both having voluntarily accepted the trust and having to perform their respective duties, they were sworn in.

Given in the Office of the undersigned Councillor Commissioner, on the month, day and year above specified.

(Signed): Huchet de Kernion; Lafreniere.

Petition to the Superior Council by Widow Ducret called Belhumeur for permit to liquidate the Ducret succession by judicial sale, since she is unable to operate the tannery, the sole means of support for the minors, and is unable to agree with the under-tutor over the management of said tannery.

October 15, 1763.—Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Marie Magdeleine Roy widow Ducret called Belhumeur, in her capacity of tutrix for the Ducret minors, humbly represents: That after the death of her husband the tannery, formerly managed by him, and which constitutes the sole and only means of support of her children, remained idle, to-

gether with the slaves working there, because the petitioner does not know how to run it; and Sieur Nicolas Ducret, her step-son and under-tutor, declines to take charge of and manage it, on account of dissensions occasioned by his immoderate claims against the succession of his father, who was petitioner's husband by third marriage;

That the said Nicolas Ducret, under-tutor, pretends that the greater part of the succession belongs to him, to the prejudice of his step-mother and his minor brothers and sisters; that she

wishes to ascertain what is due her step-son in order to settle the matter forever; that she wishes also to prevent waste and decay of one of the houses of the succession, it being in urgent need of repairs, for which the deceased did not leave any funds.

For all the foregoing considerations petitioner prays to be allowed to dispose, by judicial sale, of all the property of the succession, movable and immovable, so that the said Sieur Nicolas Ducret might receive the share coming to him, the remainder to be invested to the minors' best advantage. And Your Excellencies will do justice.

New Orleans, October 15, 1763. (Signed): Widow Belhumeur.

Procureur General requests that a family meeting be assembled to deliberate on the representations in above petition, and for appointment of two experts to ascertain the condition of the buildings of the Ducret succession.

October 15, 1763.—I request, in the King's name, that the paternal and maternal relatives, and, in their default, the family friends, be convened before the Commissioner appointed on this case, and in the presence of the Procureur General of the King, to deliberate on the subject matter of the above petition; that two experts be appointed to verify and appraise the repairs to be made on the property of the Ducret succession; and that the condition of said

property be ascertained by procès-verbal to be reported to the Superior Council, so that it might issue such order as it may see fit.

New Orleans, October 15, 1763. (Signed): Lafreniere.

Family meeting advises judicial sale of all the property of the Ducret succession.

October 27, 1763.—On October 27 and 28, 1763, before Monsieur Jean Francois Huchet de Kernion, Councillor of the Superior Council of this province, appointed Commissioner in this case, and in the pres-

ence of Monsieur de Laplace, Councillor Assessor of the said Council, acting Procureur General of the King, appeared Madame Marie Magdeleine Roy, widow of the late Ducret called Belhumeur, which appearer stated that, by virtue of the order (missing from the file) of the Council of October 15th, she had caused an inspection and an estimate of the repairs to be made on the residence occupied by her, and belonging to the Ducret succession, by the experts appointed and commissioned by the aforesaid order; and declared also that she had caused the following relatives and friends of the Ducret minors to be summoned to a family meeting, to-wit: Nicolas Ducret, brother of said minors and their undertutor; and Sieurs Francois Langlois, Forstier, Filiosa called Timballier, Negrier and Ducherf, for the purpose of giving their advice on the sale of said property, after having taken cognizance

of the experts' report relative to the heavy expense required to restore same.

Whereupon the aforementioned Sieurs Ducret, Andry, Langlois, Forstier, Filiosa, Negrier and Ducherf also appeared, and having promised, under oath, to express their opinion honestly and sincerely on said sale, they gave their advice as follows:

Sieur Ducret said that it was not necessary to sell the house in question, and suggested that it be rented to the best advantage of the heirs and minors;

Sieur Andry was of opinion that all the property of the succession, movable and immovable; should be disposed of by judicial sale, and the portions coming to the minors invested to their best advantage;

Sieur Langlois also expressed his advice in favor of the judicial sale, so that the shares of the minors might be invested to their best advantage;

Sieur Forstier also advised the judicial sale of all the property of the succession; and the same opinion was shared also by Sr. Mansiau in behalf and lieu of Sr. Timballier, in whose place he appeared; and Sieurs Negrier and Ducherf also agreed that the judicial sale was the best solution of the matter.

(Signed): Andrey, Ducrée; Marie Mdelain Roy; Fortier; Langlois; Negrier; De la Place.

Commissioner De Kernion refers the deliberations of the family meeting to the Superior Council.

Whereupon the aforenamed and undersigned Councillor Commissioner, with the consent of Monsieur de Laplace, acting Procureur General of the King, ordered and does order that the aforesaid deliberations

of the family meeting be communicated to the Procureur General of the King, so that they might afterward be reported to the Council, which will issue such order as it may see fit.

Given in his office, on the month, day and year above stated. (Signed): Huchet de Kernion.

Report of the experts appointed to inspect the house and make estimate of the repairs needed.

October 19, 1763.—The Undersigned experts, appointed by the Superior Council of this colony on October 15th for the purpose of inspecting the buildings belonging to the late Sieur Nicolas Ducret called Bel-

humeur, do hereby certify that on October 18th they went to the residence occupied by the late Ducret at the time of his death, which building as well as the kitchen they examined carefully, and found that the following repairs are badly needed, to-wit:

Carpentry work: The whole front gallery is to be rebuilt together with the steps. The gable facing the rear of the city has to be replaced by new material, and the stairs in the rear are out of order and must be rebuilt. The kitchen is going to ruin and must be entirely rebuilt with new material, with the exception of the ceiling only. The fence is also in bad condition and at least one-half of it must be replaced by new material.

Masonry work: All the masonry of the front gallery and of the gable must be made over, as well as the chimney-piece inside the house; and also the chimney in the kitchen needs extensive repairs.

The foregoing are all the repairs needed by the aforesaid buildings, and the cost is calculated to amount to about 5500 livres in colonial currency, for both materials and workmanship; that is, 4000 livres for carpentry work and 1500 livres for masonry.

New Orleans, October 19, 1763. (Signed): Langlois; Liotau.

Procureur General consents to the judicial sale of property of the Ducret succession. November 5, 1763.—The Procureur General, in the King's name, signifies his consent to the sale of all movable and immovable property of the community that

existed between the said late Nicolas Ducret called Belhumeur and Madame the widow Ducret, in conformity with the deliberations of the family meeting of October 28th last, the said sale to be carried out in accordance with the King's decree; and requests that the partition of the proceeds of sale be made before Monsieur de Kernion, Councillor Commissioner in this case, and in the presence of the Procureur General of the King; and that the shares coming to the Ducret minors be invested to their best advantage under the supervision of the Procureur General of the King.

New Orleans, November 5, 1763. (Signed): Lafreniere.

Marriage Contract between Francois Sarrazin and Francoise Lepine, passed before Rev. Francois Carette, Jesuit Missionary, at Arkansas Post, January 6, 1752. August 6, 1763.—Marriage contract executed before Rev. Francois Carette, Jesuit Missionary at the Post of Arkansas, in default of a Notary, in the presence of the witnesses hereinbelow mentioned, between Francois Sarrazin, a native of Louisiana, on one side; and Francois Lepine, a

native of Arkansas, daughter of the late Jean Francois Lepine and of Catherine Schemal, on the other side:

Which parties, with the advice and consent of their relatives and friends, entered into a contract of marriage, the nuptial ceremony to be performed at once in the Holy Catholic Apostolic and Roman Church, under the following clauses, conventions and conditions, to-wit:

The said intended husband and wife shall have community of all property, movable and immovable, according to the custom followed in the colony of Louisiana; The said intended husband will receive from the said intended wife the sum of one hundred pistoles which she received from the succession of her father, the late Jean Francois Lepine;

And in consideration of the mutual affection that the said parties declared that they entertained for each other, they made an irrevocable donation to each other, to take effect upon death, of all movable and immovable property of whatsoever kind that will be left by the one who will first depart this life, provided that there are no children; and, if there are children, the present donation shall be null and void, and they shall be the heirs;

The contracting parties expressed their intention that the present marriage contract be recorded and deposited in the Registry of New Orleans, so that it may obtain full effect, as if it had been executed before a Notary.

All the foregoing was agreed upon by the aforenamed contracting parties, in the presence of Charles Lineto, Catherine Schemal, and Antoine Lepine, who, declaring that they were unable to write or sign, made their ordinary mark.

Done at the Arkansas Post, on January 6, 1752.

(Signed): Francois Carette, Jesuit Missionary; Fransoy Sarazin; Mark X of Catherine Lepine; Mark X of Charles Lineto; Mark X of Catherine Schemal.

Homologation of above marriage contract by the Superior Council.

August 6, 1763.—The Superior Council of the Province of Louisiana, having read the foregoing marriage contract between Sieur Francois Sarrazin and Demoiselle

Francoise Lepine, executed on January 6, 1752, before Francois Carette, formerly so-called Jesuit, Missionary at the Arkansas, in default of a Notary at the said Post; having read the donation inter vivos in behalf of the survivor; having heard the conclusions of the Procureur General of the King: The Council homologated the said marriage contract and ordered that the donation therein set forth be recorded in the Registry so that it may be executed according to its form and tenor.

Given in the Council-chamber on August 6, 1763. (Signed): Dabbadie.

(Signed, in margin of one page): Devergés; De Reggio; Ducros.

(Translator's Note:—No explanation is given as to how and why the foregoing marriage contract is connected with the Ducret succession, to which it undoubtedly belongs, as it is used as the cover for the folder. Perhaps the document refers to one of the former husbands of Marie Magdeleine Roy widow Ducret, whose third husband was Nicolas Ducret called Belhumeur. This same folder also contains a well-written uncertified copy of the documents relating to the same Ducret succession, and previously presented under date of August 2, 1763.—G. L.)

August 10.

3 pp.

Petition to the Superior Council by Madame De Grandpré, as tutrix of her minor children, for permit to cite De Reggio and Fleuriau, who neglected to provide for the payment of 48,000 livres owed to the Grandpré succession.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

Madame De Grandpré, acting as tutrix for her minor children, humbly prays and represents: That there is due to the succession of the late Mr. De Grandpré, former Captain of the colonial troops, by Mr. De Reggio, also Captain of the colonial troops, and by Mr. Fleuriau, Officer of said troops, the sum of 46,000 livres, according to the annexed mortgage contract (not in the file) executed before Master Chantalou, former Royal Notary of this province, on June 17,

1760, which sum was payable within three years, reckoning from August 1, 1760, in La Rochelle, (France), in gold or silver coin used as legal tender in France; that the said payment fell due on the first day of the current month of August, but the said Sieurs

De Reggio and Fleuriau neglected to provide for it.

Wherefore petitioner prays that it may please Your Excellencies to allow her, in her aforesaid capacity, to summon Sieurs De Reggio and Fleuriau before the Superior Council at its first session; and that decision be rendered condemning them, solidarily and severally, to pay petitioner the said sum of 46,000 livres, in gold or silver, as set forth in the contract, together with interest and costs. And justice will be done.

New Orleans, August 10, 1763. (Signed): Galar widow

Grandpré.

Permit to cite.

August 10, 1763.—Permit to summon at the first session of the Council. New

Orleans, August 10, 1763. (Signed): Dabbadie.

Citation served.

August 18, 1763.—On August 18, 1763, by virtue of the foregoing order, and at the request of Madame the widow Grandpré, citation was served by the Sheriff of the Council upon Mr. De Reggio, Captain of infantry, domiciled in this city, at the residence of Sieur Fleuriau; and upon Mr. Fleuriau, Officer of Infantry, at his own residence, where he elected domicile: to appear before the Superior Council on the first Saturday of the next month of September, at eight o'clock in the morning, to answer the said petition. To each one was delivered a copy of the mortgage contract, of the above petition and order, and of the present citation. (Signed): Bary.

August 10.

No. 8438. 2 pp.

Power of attorney granted by Pierre Laclede Liguest to Nicolas Forstall.

Before the Royal Notary of the Province of Louisiana, residing in New Orleans, personally appeared Monsieur Pierre Laclede Liguest, merchant of this city, on the eve of departing for Illinois, who, by these presents, constituted as his special and general attorney, Monsieur Nicolas Forstall, his partner and friend, to whom he granted full authority and power to manage and administer all his property and business, present and future, etc., promising to accept as satisfactory and to approve and ratify in advance all that will be executed by the said constituted attorney.

Done and passed in the Notarial Office of this city on August 10, 1763, in the afternoon, in the presence of Sieurs Joseph Becat and Pierre Gauvin, duly qualified witnesses, residing here.

(Signed): Laclede Liguest; Jh. Becat; P. Gauvain; Garic, Notary.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

August 10.

No. 8439. 4 pp.

Procuration in blank granted by Louis Cezard Le Bretton. Before the Royal Notary of the Province of Louisiana, residing in New Orleans, appeared Messire Louis Cezard Le Bretton, former Councillor of the Superior Council of this province, and at present Councillor of the Court of Paris, who, by these presents, constituted as his general and special attorney, Mr. (blank for name), whom he

empowered to receive from Monsieur Pierre Hervier, Port Captain of Cap, Island of St. Domingo, all sums due by the latter to the appearer, according to a statement of said Sieur Hervier, dated December 31, 1748; and according to another statement sent by appearer to his constituted attorney, to whom appearer explains that only one-fourth of the amount set forth in the aforesaid obligation of Sr. Hervier is due to appearer, as the other three-fourths are due to the co-heirs. The constituted attorney is hereby given full authority to grant valid receipts for all payments, in default whereof he is instructed to use all legal means to compel the said Sieur Hervier thereto; and to undertake whatever action might be required with respect to these presents, as appearer himself would and could do if he were present; the latter having promised to approve and ratify all that will be executed by the constituted attorney by virtue of these presents.

Passed in the Notarial Office of this city on August 10, 1763, in the presence of Sieurs Joseph Becat and Pierre Marin Bary, competent witnesses.

(Signed): Le Bretton; Jh. Becat; Bary; Garic, Notary.

Statement of the indebtedness of Pierre Hervier & Company to De Lafreniere succession, which is annexed to the above procuration. December 31, 1748.—Statement of what Pierre Hervier and Company owes to the succession of Mr. de Laffreniere, as per agreement reached with the latter, to pay upon the return of the vessel "La Christine", commanded by Captain Vincent

Dupré; and, in case of accident, God forbid, to the said vessel,

upon the return of the vessel "Le Triton", under the command of Louis Amette, shipmaster:

Shipment on board of vessel "La Christine 206 quarters of Indian corn at 5 livres per quarter:	1030	_	_	
92 quarters of horse-beans at 7 livres	644			
85 quarters of peas at 10 livres:		-	-	
131 planks, not measured, and appraised at 137 livres and 10 sols:	. 137	-	10-	
Not shipped: 108 planks, 10 and 12 feet long, appraised at:	. 118	_	4-	
Money loaned to me on various occasions for my needs and for the equipment of the vessels "Langlois" and "La Christine": 350 piastres, equivalent to 1750 livres:	1750	_	-	
Total:	4529	liv.	14 sols	

I certify to the foregoing statement amounting to the sum of four thousand five hundred and twenty-nine livres and fourteen sols, errors and omissions excepted, as true and correct. New Orleans, December 31, 1748. Signed Hervier and Company.

Copy collated to the original. (Signed): Henry, Clerk.

I do hereby certify the above statement to be conformable to the original deposited in the Registry of this colony. Done at New Orleans, on February 2, 1751. (Signed): Henry, Clerk.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

August 13.

No. 8440. 4 pp.

Marriage Contract between Louis Quiery and Margueritte Soulard. Marriage Contract executed before the Royal Notary of the Province of Louisiana, residing in New Orleans, between Sieur Louis Quiery, native of Havre de Grace, in Normandy, archbishopric of Rouan, parish of St. Francois, son of the late Sieur Francois Quiery and of Madame Catherine Leb-

run, one one side; and Demoiselle Marguerite Soulard, minor daughter of Gabriel Soulard and of Anne Magdeleine Boyer, both of whom also appeared to act and stipulate for their minor daughter, on the other side.

Sieur Quiery assisted by Sieur Antoine Mermillon and by Sieur André Renard. Demoiselle Soulard assisted by her parents and by Francois Negle, her brother, and by Sieur Jean Perret. Done and passed in the Notarial Office of this city, on August 13, 1763, in the presence of Sieurs Joseph Becat and Pierre Bary, competent witnesses.

(Signed): Margueritte; Soulard; Marmillion; A. Raynard; Francois Naegle; Jh. Becat; Bary; Garic, Notary.

Madame Soulard and Sieurs Quiery and Perret declared that they could neither write nor sign.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

August 13.

No. 8441. 3 pp.

Act of Mortgage by Laurent Francois Viard to Beausoleil, Before the Royal Notary of the Province of Louisiana, residing in New Orleans, in the presence of the hereinafter mentioned and undersigned witnesses, appeared Sieur Francois Viard, at present a resident of this city, who acknowledged and confessed that he was rightfully indebted to Sieur Beausoleil, a soldier in the company of Mr.

Du Barry, garrisoned in this city, in the sum of two hundred silver piastres, Spanish currency, for board and lodging furnished him by said Beausoleil, who also appeared and signified his acceptance; which sum the said Viard promised to pay and remit upon his arrival at Cap (Francois), Island of St. Domingo; in security whereof he granted a mortgage on all his property, present and future, and elected domicile at "La Limonnade", the plantation of Sieur Viard, his father, where he consented that all acts and citations required for the execution of these presents be passed and served; and in the event that the said debtor should not reach St. Domingo, he granted, by these presents, full power and authority to the said Beausoleil to claim the payment of the aforesaid sum of two hundred silver piastres from Sieur Viard, his father, or from Sieur Viard, Junior, in his capacity of manager and administrator of the said plantation.

Done and passed in the Notarial Office of this city, on August 13, 1763, in the presence of Sieurs Joseph Becat and Marin Pierre Bary, witnesses.

(Signed): L. Viard; Jh. Becat; Bary; Garic, Notary. Beausoleil stated that he could neither write nor sign.

(Signed, in margin of first page); Devergés; De Reggio; Ducros.

August 13.

No. 8442. 9 pp.

Marriage Contract between Daniel Rafleau and Margueritte Smith. Marriage Contract executed before the Royal Notary of the Province of Louisiana, residing in New Orleans, between Sieur Daniel Rafleau, native of Berne, Switzerland, son of Sieur Jean Rafleau and Madame Marie Vitepan; widower by first marriage of the late Barbe Tonnetberi, and by second marriage of the late Margueritte Bezerin, on

one side; and Madame Margueritte Smith, native of Francfort,

Witembourg, daughter of the late Sieur Nicolas Smith and of the late Catherine (blank); and widow by first marraige of the late Sieur Jean Condrad Guilbery, on the other side.

Sieur Rafleau assisted by Sieur Felix Sicard, and by Sieur Silvain Filiosa. Madame Smith assisted by Sieur Michel Frilous, and by Sieur Laurens Bailly, master tailor; and also by Sieur Louis Drouet and his wife, Madame Marie Faleau, who stipulated the marriage agreement.

Executed in the Notarial Office of this city, in the afternoon, in the presence of Sieurs Joseph Becat and Pierre Barry, competent witnesses, residing here.

(Signed): D. R. (Daniel Rafleau); Philiosa; Felix Sicard; Marie Rafleau; Michel Frilous; Jh. Becat; Bary; Drouet; Garic, Notary.

Margueritte Smith and Laurens Bailly declared that they could neither write nor sign.

Foregoing act recorded in the Registry by order of the Superior Council.

December 3, 1763.—The Superior Council of the Province of Louisiana, having considered the donations set forth in the above marriage contract; having heard the conclusions of the Procureur General

of the King; ordered and does order that the said donations be given full force and effect and that the said marriage contract shall be recorded in the Register of Insinuations in the Registry of the Council.

Given in the Council chamber on December 3, 1763. (Signed): Foucault.

Inventory of the assets of Daniel Rafleau, annexed to above marriage contract.

August 13, 1763.—To the foregoing marriage contract is annexed an inventory of all movable and immovable property belonging to Daniel Rafleau, taken on same date of August 13, 1763, in the morning.

date of August 13, 1763, in the morning, covering five pages, and showing personal and household effects, furniture, utensils, papers, cattle, slaves and real estate.

The inventory was allowed by Dabbadie's order of August 8, 1763, rendered on Rafleau's petition, and was executed before Mr. Delaunay, appointed Commissioner on this case, and in the presence of Mr. De la Place, acting Procureur General of the King. Witnesses: St. Eloy and Bary.

(Signed): Saint Eloy; D. R. (Daniel Rafleau); Bary; Philiosa; Marguerite Vandal; Drouet; Marie Droit; De la Place; Delaunay; Garic, Notary.

(Signed, in margin of first page): Devergés; De Reggio; Ducros.

August 18.

2 pp.

Petition by Grenon Deflottemanville for permit to summon Becat and have him ordered to accept or oppose the account of Dausserville succession. Petition to Monsieur Dabbadie, Councillor of the King's Councils, Commissioner General of the Marine, Intendant and First Judge of the Superior Council of Louisiana:

Grenon Deflottemanville humbly prays and represents: That he delivered, jointly with Sieur Voisin, Sr., an account of the succession of the late Sieur Amiault Dausserville to Sieur Becat, curator of the said succession; that the said account was served on Sieur Becat about five months ago, in com-

pliance with the order of the Council dated February 5, 1763; that Sieur Becat seems to be inclined to drag the matter along, although petitioner and Sieur Voisin requested him to expedite same.

Wherefore petitioner prays that it may please Your Excellency to allow him to summon Sieur Becat before the Council and that he be ordered to accept the aforesaid account or to present his objections to same within the term of fifteen days. And right will be done.

New Orleans, August 8, 1763. (Signed): Deflottemanville.

Permit to cite.

August 20, 1763.—Let an order issue as prayed for. New Orleans, August 20, 1763. (Signed): Dabbadie.

August 23, 1763.—On August 23, 1763, at the request of Sieur Deflottemanville, citation was served upon Sieur Becat by the Sheriff of the Superior Council. (Signed): Bary.

August 24.

7 pp.

Statement of merchandise shipped by Collas from St. Domingo on the vessel "St. Joseph". Extract from the Records of the Registry of the Royal jurisdiction of Port-de-Paix:

This day, August 24, 1763, upon request of Sieur Collas, the following registration was entered: Invoice of merchandise entrusted to Lardin sailing on the vessel "St. Joseph" of Pensacola, under the command of Francois Madere.

The invoice concerns cotton and linen goods, handkerchiefs, shoes, buttons, pins, needles and woolen dress goods, for the total amount of 13,859 livres.

Consignee's acknowledgment.

Legalization of the Clerk's signature.

Then follows Lardin's acknowledgment, certified by Moreau, the Clerk. (Signed): Moreau.

August 24, 1763.—Moreau's signature was legalized by Mr. Francois René Abraham de Villenisian, Counsellor and Pro-

cureur of the King at the Royal jurisdiction of Port-de-Paix, acting in the absence of the judges of the said jurisdiction.

Done at Port-de-Paix, St. Domingo, on August 24, 1763.

(Signed): Villenisan.

Power of attorney granted by Jean Bap-tiste Collas of Port-de-Paix, St. Domingo, to Denis Braud of New Orleans.

August 24, 1763.—Before the Notary of the Royal jurisdiction of Port-de-Paix, Island and Coast of St. Domingo, appeared Sieur Jean Baptiste Collas, a resident and merchant of said place, who constituted as his general and special attorney, Sieur D.

Braud, merchant of New Orleans, to whom he granted full power to have Sieur Lardin, merchant also of New Orleans, render an account of a shipment of merchandise entrusted to him by the said appearer; to receive from Sr. Lardin all proceeds of sale of said merchandise, etc.

Done and passed in Port-de-Paix on August 24, 1763, in the presence of Sieurs Rabeaud Durant and Antoine Nicolas Morel, duly qualified witnesses.

(Signed): Collas; Morel; Rabeaud Durand; Moreau.

August 24, 1763.—Then follows the legalization of the foregoing act, by Mr. Legalization of above power of attorney. Francois René Abraham de Villenisan, Counsel and Procureur of the King of the Royal Jurisdiction of Port-de-Paix, St. Domingo, acting in the absence of the judges of said place. (Signed): Villenisan.

Above documents served on Lardin.

October 7, 1763.—On October 7, 1763, at the request of Sieur Denis Braud, merchant of this city, acting under procuration of Sieur Collas, merchant of Port-de-Paix, St. Domingo, the Sheriff of the Superior Council of Louisiana, served copies of all the foregoing documents on Sieur Lardin, merchant of this city, at his residence, where he elected domicile. (Signed): Bary.

August 25.

7 pp.

Statement of merchan-dise shipped by J. Berard of Bordeaux to J. Durand of New Orleans.

Statement of merchandise shipped by J. Berard of Bordeaux, for his account, on the vessel "La Belette", Joulery, Master, bound for the Mississippi, to the address and consignment of Mr. J. Durand, merchant of New Orleans:

The statement amounts to the total sum of 20,253 livres, and relates to wines of different qualities, flour, brandy, thread,

metal utensils for the kitchen, hats, hunting guns, iron-work, locks, candlesticks, corks, spoons, forks, table-knives, carpenter's tools, pocket-knives, nails, coffee-grinders, soap, hams, olive oil in bottles, bacon, butter, anchovies, stationery, earthenware and chinaware, cut glass, and jars.

Paid for insurance 1008 livres, 1 sol and 5 deniers at the rate of 51/4 per cent.

Bordeaux, August 25, 1763. (Signed): J. Berard.

August 29.

3 pp.

Petition of Pierre Charpentier for judgment against Madame Goudeau for merchandise delivered to her. Petition to Monsieur D'Abbadie, Councillor of the King's Councils, Commissioner General of the Marine, Intendant and First Judge of the Superior Council of the Province of Louisiana:

The undersigned, Pierre Charpentier, residing in this city, very humbly prays and represents: That during the month of September, 1762, he purchased from Madame

Goudeau, merchant woman of this city, 30³/₄ ells of calamanco at 50 livres per ell, making a total of 1537 livres and 10 sols, on account whereof he paid 1037 livres and 10 sols, and gave a promissory note for the balance of 500 livres. The petitioner went up to Pointe Coupée where he sold only one ell of the said goods, because he fell sick and was compelled to return home;

That upon his return to town the said Madame Goudeau, wishing to repurchase the said calamanco, asked petitioner for the price of same, and he informed her that he wanted a profit of five livres per ell, for a part of the merchandise, and fifty sols for the whole of it; that Madame Goudeau sent her servant to get the merchandise, and to said servant petitioner delivered 2934 ells, measured in the presence of Sieurs Marmillion and Desormeaux; that Madame Goudeau sold ten ells of said material to Monsieur Raguet, and was unable, it seems, to dispose of the remainder;

That petitioner, having recovered from his illness, called on Madame Goudeau to settle the account, and she claimed to have taken the merchandise on consignment, and was ready to turn the remainder over to petitioner; that petitioner declined to yield to such an arbitrary claim, whereupon Madame Goudeau and her daughters acted in a very insolent manner towards him; that petitioner lodged a complaint with Mr. Foucault, who promised to obtain for him the payment for said merchandise, if petitioner could prove that Madame Goudeau had sent for and gotten the merchandise at the residence of petitioner; that petitioner can furnish such evidence through the aforesaid Sieurs Marmillion and Desormeaux; that Madame Goudeau is now in possession of the abovementioned sum of 1037 livres and 10 sols, of petitioner's promissory note for 500 livres, and of 293/4 ells of calamanco.

For all the foregoing considerations, petitioner prays that it may please Your Excellency to allow him to summon the said Madame Goudeau before the Superior Council at its first session, and that order be rendered condemning her to pay petitioner the sum of 1521 livres and 12 sols for 29¾ ells of calamanco at 52 livres and 10 sols per ell; to reimburse him the sum of 1037

livres and 10 sols and the sum of 500 livres, paid her by petitioner, save proper and just deduction; and to pay also expenses and costs. And justice will be done.

New Orleans, August 29, 1763. (Signed): Charpentier.

Permit to cite.

August 30, 1763.—Permit to summon at the first session. New Orleans, August 30, 1763. (Signed): Dabbadie.

Citation served.

September 26, 1763.—Citation served on September 26, 1763, by the Sheriff of the Council on Madame Goudeau to appear before the Council on the first Saturday of the following month of October. (Signed):

August 29.

Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

2 pp.

Bary.

Petition to the Superior Council by St. Amant, acting for his wife, Marie Anne Carmouche, Pierre Carmouche. and Joseph Carmouche, asks for an accounting from their mother concerning the succession of Jean Carmouche, their father. Carmouche, their father.

Sieur St. Amant, acting in the name and as husband of Marie Anne Carmouche called Lorrain and of Pierre Carmouche, of full age, and of Joseph Carmouche, humbly prays and represents: That Jean Carmouche called Lorrain, their father, died about ten years ago and his property was left in the care and under the management of Madame Carmouche, their mother, appointed tutrix following selection at a family meeting; that Madame Carmouche

does not share with petitioners the revenue of said property, but enjoys and uses same together with the petitioners' other brothers of age, who do not care to have their mother render an account of her administration.

Wherefore petitioners pray to be allowed to summon the said Madame Carmouche, their mother, at the first session of the Council, and that an order be issued directing her to render an account of the administration of the property of the late Jean Carmouche called Lorrain, before a Commissioner that it will please Your Excellencies to appoint, and in the presence of the Procureur General of the King. And right will be done.

New Orleans, August 29, 1763. (Signed): Saint Amant, both in his own behalf and in lieu of Joseph Carmouche; Pierre Car-

mouche; Joseph Carmouche.

Conclusions of the Pro-cureur General on above petition.

August 30, 1763.—I submit, in the King's name, that the widow Anne Carmouche called Lorrain, in the name and as tutrix of the minor children by her mar-

riage with the late Jean Carmouche called Lorrain, render the tutorship account, within one month at the latest, before a Councillor appointed Commissioner in this case; and that all the documents relating to the said rendition of account be forwarded to the Procureur General of the King, who will refer the whole matter to the Council, which will decide as it will see fit.

New Orleans, August 30, 1763. (Signed): Lafreniere.

August 29.

27 pp.

De Barry, acting under procuration of Madame Francoise Felicité de Riviere, files suit against Jean Milhet for an accounting of the assets of the succession of Bernard Diron Dartaguette, first husband of Madame de Riviere. Petition to Monsieur Dabbadie, Commissioner General of the Marine, Intendant of Louisiana and First Judge of the Superior Council:

Sieur De Barry humbly prays and represents: That he is holder of a power of attorney of Madame Francoise Felicité de Riviere, widow of Messire Charles Nicolas de Lambert des Granges, Lieutenant of the King, Captain of the Royal vessels, Commandant of artillery in the island and coast of St. Domingo and Knight of the Royal and

Military Order of St. Louis, in her capacity of heiress of Messire Bernard Diron Dartaguette, Lieutenant of the King at Cap Francois, Knight of the Royal and Military Order of St. Louis, her first husband, whose assets are held by Sieur Jean Milhet, merchant of this city;

And prays that he be allowed to summon the said Sieur Milhet before the Superior Council, at its first session, and that judgment be rendered ordering him to render an account and make full statement of the assets of the aforesaid defunct; and to pay all interest, expenses and costs. And justice will be rendered.

New Orleans, August 29, 1763. (Signed): Barry.

Permit to cite.

August 29, 1763.—Let Citation issue for the first session of the Council. New Orleans, August 29, 1763. (Signed): Dabbadie.

Citation served.

August 30, 1763.—By virtue of the foregoing order, on August 30, 1763, on request of Sieur Jean Baptiste de Barry,

Captain of the regiment Daugoumois, residing in New Orleans where he elected domicile, in his capacity of attorney in fact, notice was served by Marin Pierre Bary, Sheriff of the Superior Council, upon Sieur Jean Milhet, merchant of this city, in his aforestated capacity, to appear before the Council next Saturday, September 3rd, to answer the above petition. Copies of said procuration and of the petition and of the present citation were delivered to him. (Signed): Bary.

Settlement of accounts between Jean Milhet and Claude Joseph Villars Dubreuil Sr., executed before Henry, Clerk, on June 5, 1782. June 5, 1752.—On June 5, 1752, there appeared at the Registry of the Superior Council of the Province of Louisiana Mr. Jean Milhet, acting under power of attorney of Mr. Charles Lambert des Granges,

Knight of St. Louis, Lieutenant of the King and Commander-inchief of artillery in St. Domingo, acting in the name of and as husband in community of Madame Felicité Riviere, his wife, former widow of the late Mr. Bernard Diron Dartaguette, Knight of St. Louis, Lieutenant of the King and Commandant of Cap Francois, Island of St. Domingo, on one side; and Mr. Claude Joseph Villars Debreuil, Sr., building and fortification contractor of Louisiana, and First Captain of the Militia, on the other side.

Which two parties, in the presence and with the consent of Monsieur Pierre De Rigaud, Marquis de Vaudreuil, Knight of St. Louis, Captain of the King's vessels and Governor of Louisiana; and in the presence and with the consent of Monsieur Honoré Michel de la Rouvilliere, Commissioner General of the Marine, Intendant and First Judge of the Superior Council of this province; and after having taken cognizance of the compromise passed between Mr. Aubin Moulin Marchand Bourgeois of Paris, acting under procuration of the aforesaid Sieur Dubreuil, and Sieur André Fabry de la Bruyere, acting under procuration of the aforesaid Sieur Lambert, which compromise was executed before Master Jourdain, Notary of Paris, on July 16, 1749; and after having taken cognizance also of all other acts and deeds passed in relation to the said compromise; the said Sieur Dubreuil agreed to accept and ratify the said compromise in all its provisions. Consequently he obligated himself to pay without delay to said Sieur Milhet, in his capacity as stated above and in piastres at the rate of five livres each, or in French currency, the sum of 7732 livres and 10 sols, in settlement of the account directed by order of the Council of February 5, 1746.

Sieur Dubreuil also promised and obligated himself to pay to Sieur Milhet, by means of the same specie as above mentioned, the sum of 1637 livres, 12 sols and 6 deniers, for like amount deducted by the Clerk for his expenses from the sum of 32,752 livres and 10 sols, deposited at the Registry by Sieur Dubreuil, who promised furthermore and obligated himself to pay Sieur Milhet the sum of 300 livres for all costs of proceedings incurred in this city.

And since there was an account to be rendered by Sieur de Lalande to Sieur Dubreuil, showing a balance of 19,963 livres, 16 sols and 8 deniers, the aforesaid contracting parties, for the purpose of entirely settling said account, agreed that Sieur Dubreuil pay at once a first installment of 4000 livres, in currency of France, according to his promissory note dated November 20, 1744, carried on the account of Sieur Delalande for the sum of 10,000 livres, in piastres, at the rate of twelve livres and ten sols, and this in view of the fact that Sieur Dubreuil received only the said sum of four thousand livres, in French currency.

Wherefore the said balance of account of Sieur Delalande is reduced to the sum of 9963 livres, 16 sols and 8 deniers, which sum the said contracting parties have reduced, according to the spirit of the said compromise, to the sum of 4991 livres, 18 sols

and 4 deniers, which Sieur Dubreuil promised and obligated himself to pay immediately to Sieur Milhet, together with the other sum hereinabove specified, making the total of 18,652 livres and 10 deniers. And Sieur Milhet promised and obligated himself to have all the foregoing clauses and conditions ratified by Sieur and Madame Lambert, although such ratification shall not be a reason for the delay of the aforementioned payments; the execution of which shall validly release Sr. Dubreuil from whatever obligations relating to the succession of the said Diron; and he shall be discharged also towards the said Sieur and Madame Lambert; and Sieur Milhet promised to furnish Sr. Dubreuil with all valid discharges due him.

Done and passed in the Registry of the Council on said day, month and year, the original being signed by Dubreuil, Milhet, Michel and Henry, Clerk.

Collated with the original. (Signed): Garic, Clerk.

Account rendered jointly by Nicolas Henry, Clerk, and Augustin Chantalou, to Jean Milhet, of the succession of Bernard Diron Dartaguette. May 19, 1752.—Account rendered jointly by Sieur Nicolas Henry, Clerk of the Superior Council of Louisiana, and Sieur Augustin Chantalou, who was granted power of attorney by Mr. Charles Nicolas des Granges, Ecuyer, Knight of St.

Louis, Lieutenant of the King and artillery commander at Cap Francois, St. Domingo, in the name and as husband of Madame Felicité Riviere, widow of the late Sieur Bernard Diron Dartaguette, in his lifetime Knight of St. Louis and Lieutenant of the King at Cap-Francois, of the funds received by the said Sieurs Henry and Chantalou in this province of Louisiana from the succession of said Sieur Diron, and of all documents relating to the said account, to Monsieur Jean Milhet, merchant of this city, acting under procuration granted him by Sieur Lambert and executed before Crasson, Royal Notary at La Rochelle, on December 22, 1751.

The statement shows a net balance of 7422 livres, 12 sols and 6 deniers. New Orleans, May 19, 1752. (Signed): Henry.

July 7, 1752.—I have received from Mr. Henry the sum of 7422 livres, 12 sols and 6 deniers, in full settlement of the foregoing account and de hereby validly discharge Sr. Henry as well as Sieur Chantalou for the account rendered by him, and concerning the succession of the late Sieur Diron.

New Orleans, July 7, 1752. (Signed): Milhet; Henry.

Account of the succession of Lambert Des Granges rendered by Jean Milhet. September 2, 1763.—Statement of Account concerning the succession of the late Mr. Lambert Des Granges rendered by Jean Milhet:
Received from Sieur Dubreuil in September, 1752:12000 livres
Received from Sieur Dubreuil in May, 1753:
Received from Sr. Dubreuil in settlement: 3652 - 10 - livres
Total:18652 - 10 -
Received from Mr. Henry, Clerk, in settlement of his account with Mr. Lambert:
Received from Mr. Lebretton for 129 quarters of pitch: 1032
Total receipts:
Disbursements:
Remittance to Mr. Lambert Desgranges, on September 30, 1752, by means of three letters of ex- change on the Royal Treasury, as proved by his letter of February 15, 1753, from St. Marc:
Remittance to same in May, 1753, by letter of exchange on the Royal Treasury, as acknowledged by his letter of September 1, 1753: 3000
For my commission on the sum of 27106 - 13 - 4 at the rate of 5%: 1355 - 6 -
Total disbursements:23406 - 18 - 4

There is due Mr. Lambert Desgranges, in settlement of said account, the sum of 3699 livres, 14 sols and 10 deniers.

New Orleans, September 2, 1763. (Signed): J. Milhet.

Documents annexed to the above statement.

February 29, 1754.

There are also annexed three letters of Des Granges, dated: St. Marc, July 1, 1752; St. Marc, February 15, 1753; Lartibonitte,

August 30.

No. 8449. 4 pp.

Petition by Joseph
Ducros, Attorney for
Vacant Estates, for permit to affix seals on or
take inventory of belongings of one Tinel, who
died intestate; or to
draft a procès-verbal 'if
nothing had been left
by deceased.

Petition to Monsieur D'Abadie, Councillor in the King's Councils, Commissioner General of the Marine, Intendant of Louisiana and First Judge of the Superior Council:

Joseph Ducros, in his capacity of Attorney for Vacant Estates, humbly prays and represents: That he was informed that one Tinel, former soldier, and of late in the service of Mr. Latille, crockery-maker, died intestate at the residence of said Mr. Latille; that the said deceased left no heirs in this colony; that the said deceased might

have left some personal effects or some money due him as salary by Mr. Latille.

Wherefore petitioner prays that it may please Your Excellency to allow him to affix seals on the defunct's belongings, if necessary; or to take an inventory of the deceased's effects, if seals are not needed; or to draft a procès-verbal in the event that nothing had been left by the said deceased. The whole to be executed before such Commissioner as it may please Your Excellency to appoint, and in the presence of the Procureur General of the King.

New Orleans, August 30, 1763. (Signed): Ducros.

Petition granted.

August 30, 1763—Let an order issue, as prayed for, directed to Mr. Delaunay, Councillor, whom we appoint Commissioner

in the case, and all to be done in the presence of the Procureur General of the King. New Orleans, August 30, 1763. (Signed): Dabbadie.

Procès-verbal concerning the Tinel succession. August 30, 1763.—On August 30, 1763, in the morning, upon request of Sieur Ducros, Attorney for Vacant Estates, and by virtue of the order of Mr. Dabbadie,

by virtue of the order of Mr. Dabbadie, First Judge of the Superior Council, Monsieur Louis Piot de Launay, Councillor of said Council, appointed Commissioner in this case, accompanied by Mr. De la Place, Councillor Assessor and acting Procureur General of the King, and also by the Clerk and the Sheriff of the Council, went to the residence of Sieur Latille for the purpose of taking an inventory of the effects of the late Jean Baptiste Tinel, who died yesterday; and there he met the said Sr. Latille, who declared that said Tinel had formerly been a soldier in the regiment Dangoumois; that about one month before his death he helped to obtain his discharge

from military service by payment of one hundred silver piastres; that he employed him in his crockery factory on terms of one-third of what he would produce; that he did some pottery work without producing any finished work; that the said Tinel did not leave any personal effects, wearing apparel or linen, with the exception of an old military uniform and one old shirt, which were given to the negroes who nursed him during his illness.

Wherefore the present procès-verbal was drafted to be used

in case of need.

(Signed): Bary; Du Cros; De la Place; Delaunay; Garic, Clerk.

August 30.

2 pp.

Petition to the Superior Council by Widow Grandpré for recovery of 46,000 livres from De Reggio and Fleuriau. Petition to Their Excellencies of the Superior Council of the Province of Louisiana:

The undersigned, Madame the widow Grandpré, has the honor to represent: That the greater part of her property consists of a sum of money due her by Sieurs Regio (De Reggio) and Fleuriau; that if the said two gentlemen do not pay, without

delay. the money they owe her, at the domicile of Mr. Rateau, merchant of La Rochelle, she would be forced to borrow, which course would prove detrimental, and perhaps ruinous, to herself and to her minor children;

That the said gentlemen have offered the payment of the interest on said amount, which offer petitioner declined to accept, as anyone understands that the interest on the sum of 46,000 livres cannot suffice to maintain her family, when one takes into consideration the fact that the petitioner has a son in France, who represents a yearly expense of 3000 livres, and that petitioner wishes also to provide for the education of two daughters in France in a manner becoming their station; that the said money, being property of some minors, should be invested in the same way and to their best advantage; that petitioner was compelled to remain here more than a year in order to liquidate her property.

Wherefore petitioner appeals to the justice and equity of the Court and prays that judgment be rendered condemning the said Sieurs Regio and Fleuriau to pay to her account, without any further delay, at the domicile of the said Monsieur Rateau at La Rochelle, the full amount due petitioner in the sum of 46,000 livres, in currency of France, in compliance with the agreement and contract duly passed before a Royal Notary; and to pay also the interest and compound interest, it being property of minors.

New Orleans, August 30, 1763.

(Translator's Note.—The document is unsigned and does not show any further course of proceedings. —G.L.)

(To be continued.)

OF LOUISIANA LXXIV.

La

January, 1785.
(Continued from April, 1942, Quarterly)

By LAURA L. PORTEOUS
(With Marginal Notes by Walter Pritchard)

Spanish officials appearing in this installment:

Esteban Miro, Colonel of the Fixed Regiment of Infantry of this Place and Governor ad interim of the Province of Louisiana.

Martin Navarro, Intendant General of Louisiana.

Juan Doroteo del Postigo y Balderrama, Auditor of War and Assessor General of Louisiana.

Juan Ventura Morales, Fiscal of the Royal Treasury.

Josef Villavaso, Administrator General of the Royal Revenues of Louisiana.

Alcaldes: Nicolas Forstall; Juan Renato (René) Huchet de Kernion.

Escribanos: Fernando Rodriguez; Rafael Perdomo.

Attorneys: Francisco Broutin; Predo Bertonière; Antonio Mendez; Pedro Daspit.

Public Appraisers: Francisco Lioteau; Josef Becat.

Nicolas Fromentin, Deputy Sheriff.

Luis Lioteau, Official Taxer for Costs of Court.

Juan Josef Duforest, Official Interpreter and Translator.

Nicolas Delassize, Commander of the Post of Pointe Coupée.

Francisco Dubua, Public Town Crier of New Orleans.

January 10, 1785.

Luis Gentilly vs. The Succession of Carlos Daniel.

No. 3039. 2 pp.

Court of Alcalde Nicolas Forstall.

No Assessor.

Escribano, Fernando Rodriguez.

To collect a promissory note. This suit, brought to collect from a succession the proceeds of a promissory note given by the deceased, contains nothing of any particular interest. Page 1, an exhibit, is a promissory note, written in French, which reads: I promise to pay Mr. Jeantille the sum of 125 piastres on my return from Santo Domingo. New Orleans, October 24, 1783. (Signed) Charles Daniel.

Luis Gentilly presents this note with a petition in which he sets forth that, as it appears from the above exhibit, the succession of one named Daniel owes him 125 pesos, therefore he prays the Court to order this amount paid from the funds realized at the time the Daniel estate was sold.

Nicolas Forstall, Senior Alcalde, rules: The note having been presented, as stated, let a comparison of signatures be made by the present Escribano.

[Translator's Note.—As nothing further is done in the matter this suit was in all probabilities settled out of Court.— L. L. P.]

January 10.

Proceedings brought by Francisco Broutin to place, in security, the funds belonging to the Andres Masse Succession.

No. 2994. 10 pp.

Court of Governor Esteban Miro.

Assessor, Juan del Postigo.

Escribano, Fernando Rodriguez.

This case opens with a certified copy of a power of attorney, written in French, to the effect that: Before the Commander of the Post and District of Point Coupée, appeared Claudio Trenonay, a resident of this Coast, who declared, by these presents, to grant full and entire power and commission to Francisco Broutin, of New Orleans, to deposit with the General Receiver of the Province, the sum of 945 hard pesos 4 reales, capital, now in Mr. Broutin's keeping, to which he must add one year's interest on the said amount, and This case presents a good illustration of the difficulties and legal formalities involved in transmitting the proceeds of a succession probated in New Orleans to the rightful heirs who reside in Europe, as well as the legal safeguards for holding such funds until they were claimed by the legal heirs. It also reflects the prevailing interest rate in the colony and the high fees allowed public officials in Spanish Louisiana for collecting and holding in trust such funds. must also specify in the said act of

deposit, that he is delivering a sum of 845 pesos 4 reales, with interest on same, for one year, which comes from the late Andre Masse's succession, and was placed in the appearer's care, together with 100 pesos that belongs to Miss Masse, proceeding from a note issued in her favor by Mr. Mandeville, that the appearer has also received and deposited. The total of these two capitals belongs by inheritance and title to Miss Masse, sister of the deceased, or to her legal heirs, when they will present themselves, or give their powers of attorney to others to represent them. Mr. Broutin must not make this deposit for the appearer, without the approval of the Governor of this Province, who is the first Judge in Louisiana.

Mr. Trenonay declared that this money has been placed at 5% interest for one year, only, then retired, so as to be ready to send to Miss Masse, in France, at the first opportunity, following her letter requesting it. This remittance would have been made before, but was withheld because of the information given by Mr. Maxent, to Mr. Trenonay, assuring him that Miss Masse

had granted her power of attorney to him to receive her funds here, but unfortunately this instrument was lost and he has been waiting for another. This change for transferring the money, on Miss Masse's part, has prevented the appearer from sending it to her, since in her first instructions she specified to hold it at Mr. Maxent's disposal.

Up to this day, the appearer has seen neither procuration, nor letters from Miss Masse, and wishing to be relieved of the responsibility of the said money, he, by these presents, commissions Mr. Broutin to deposit it, for which purpose he must present a petition to be authorized to do so, and his written request, the authorization and General Receiver's receipt, must be placed with these presents, to serve as a discharge of all obligations on the appearer's part, who will send duplicate copies to the interested parties. Mr. Broutin will deduct the costs of deposit from these funds. Done and executed at Pointe Coupée, on the morning of the 15th day of December, 1784, in the presence of Ricard de Rientord and J. Raynaud, witnesses and residents of this Post, together with Mr. Trenonay and the Commander. (Signed) J. Rainaud; Ricard de Rientaud; Nicolas Delassize; Trenonay.

Spanish.

Francisco Broutin petitions the Mr. Broutin petitions to have Mr. Governor General to say that he has been empowered by Claudio Trenonay, as the Procuration duly

presented shows, and considering that the document is written in French, he prays to have it translated into Spanish, and done deliver the translation to him to be used for the rights that belong to his client. Governor Miro: Let this instrument be translated by Josef Duforest, and done deliver it to the petitioner.

In New Orleans on the said day, Notification, acceptation and oath. month and year (January 10, 1785), the Escribano personally notified Juan Jose Duforest, who said he accepted and did accept and swore to proceed faithfully with the translation, and he signed, to which the Escribano attests. The Spanish translation follows.

On January 14, 1785, Francisco Mr. Broutin asks for the records of the Broutin, empowered by Claudio Trenonay to deposit money belonging to the Andres Masse heirs, states that considering he has presented the said Trenonay's power of attorney, may it please the Court to order all records included in this suit sent to him so that he may institute the necessary proceedings for this purpose. Governor Miro, on Assessor Postigo's advice, rules: As it is prayed.

On March 5, 1785, Francisco Mr. Broutin petitions to place the funds belonging to the Masse Succession with the General Receiver.

Broutin petitions, setting forth that he holds in his possession 845 pesos, plus one year's interest on

this amount, the proceeds from the Andres Masse succession, together with 100 pesos belonging by right of ownership to Mr. Masse's sister, who lives in Paris, amounting in all to 945 pesos 4 reales, and considering that many years have passed and no letters have come from Miss Masse, and Mr. Trenonay having held this money at her disposal all this time, ready to send it to her in France, but has not done so for reasons stated in the procuration duly presented in this suit, it may be presumed that the lady has died. Therefore, he prays to place this money in security until legitimate heirs come forward to claim it, and may it please the Court to order it deposited with the General Receiver, after deducting 5% from this amount, which belongs to the petitioner for collecting this sum, for his labor to put it out at interest for one year, to collect the latter, and for having to write many letters to Miss Masse in connection with this inheritance and note, and also to take from this amount the fees that belong to the Receiver General, together with all costs caused, or that may be caused in this proceeding. Governor Miro accepts this petition and, on Assessor Postigo's advice, decrees:

Decree.

Considering the power of attorney conferred by Claudio Treno-nay on Francisco Broutin, let the

latter place the sum of 992 pesos 4 reales in General Receiver Francisco Wserous' keeping. This amount is made up of 8451/2 pesos belonging to the Andres Masse succession and 100 pesos to Miss Masse, plus 5% interest for one year on the first sum. From this interest pay Francisco Broutin 3% for collections and for the time he has had it in his care. The costs of these proceedings must also be deducted from the interest. The remainder is to be left at the disposition of the party who will be provided with a properly accredited power of attorney to represent the persons of the absent heirs so that they can claim the money when convenient. Fees 21/2 pesos. (Signed) Esteban Miro; Licenciado Postigo.

The record ends here and may be resumed at some future date, when the lawful heir or heirs present themselves to claim this inheritance.

[Translator's Note:-The name of this General Receiver is unknown to the summarizer of the above suit. The scrivener who wrote it was evidently in doubt as to the correct spelling. The word begins with what looks like a Spanish attempt to make a "W" as may be proven from the way they write this letter in "Conway" and "Cowley". The "serious" is clear enough. The surname may have been intended for "Waterous," but this name has never appeared in the records before. Joseph Ducros was Regidor Perpetuo-Depositorio General (General Receiver) for many years and was succeeded by his son. The two Ducros were the only holders of the Receivership during the entire Spanish Domination from November 25, 1769 to November 30, 1803. Joseph Ducros was Attorney for Vacant Estates under the French Regime and was transferred to the equivalent Spanish Office when O'Reilly ended the Superior Council and instituted the Cabildo.—L. L. P.1

January 12.

Proceedings brought by Juan Bautista Macarty to obtain a permit to sell the Brigantine, the Hercules, at auction.

No. 56. 1 pp.

Court of Intendant Martin Navarro.

No Assessor.

Escribano, Rafael Perdomo.

This case illustrates the legal procedure Inis case illustrates the legal procedure involved before the owner of a ship can legally sell it at public auction in New Orleans. The action is brought in the Court of the Intendant, which had jurisdiction in all such cases.

Juan Bautista Macarty avers that he is the owner of a Brigantine, called the Hercules, anchored at the levee of this river. It is convenient to his right to sell same at public auction, therefore in order to do so he prays to have the Escribano present at the sale so that the auction may be held. Martin Navarro rules: As it is prayed. He gives the necessary commission to the Escribano for this purpose.

January 15.

Inventory and appraisement of the estate of Divina Dubout.

No. 3022. 54 pp.

Court of Alcalde Renato de Kernion.

Assessor, Juan del Postigo.

Escribano, Fernando Rodriguez.

This case illustrates the legal procedure

The succession opens in the usual way with the announcement of the death of the owner of the estate. It reads: In the city of New Orleans, on the fifteenth of January of the year one thousand seven hundred and eighty-five, Renato de Queriñon (Kernion), Junior Alcalde of this city and its jurisdiction for His Majesty, said: that he has been notified of the death of Divina Dubout, Widow Colect, who, who has died without making a will. She has left heirs, and for the security of the prop-erty remaining, His Honor orders or in settling a succession in Spanish New erty remaining, His Honor orders Orleans. The collection of the keys; the search for a will; power of attorney granted by an absent heir to a local attorney to look after his interests in the estate; appointment by the Court of lect the keys, and done proceed one attorney to represent the minor heirs and of another to represent the heirs of age; the inventory and appraisal of the property of the succession, followed by Court approval of same; sale of the property and effects at public auction, under supervision of the Court; the appointment by the Court of a guardian of the estate to settle the debts and distribute the balance of the funds among the legal heirs; the accounting, the contesting of it by some of the interested persons, and the final Court approval of the accounting. As it stands here, the case is unfinished.

Collecting the Keys.

Immediately after, the Escribano went to Divina Dubout's dwelling house to collect the keys,

as ordered by the foregoing decree. He was informed by the widow of Pablo Prevo(st) that there were none. Fernando Rodriguez sets this down as a matter of record and signs.

New Orleans, January 15, 1785, Alcalde Kernion decrees: Let the Escribanos del Numero certify

whether a will has been executed before them, or filed with the Archives in their charge, for Divina Dubout, Widow Collet, and done return the records to the Court.

Certifications of the Escribanos.

In fulfillment of the foregoing decree, Fernando Rodriguez certifies that no will has been executed

before him, nor filed in his Archives for Divina Dubout, Widow Collet. New Orleans, January 15, 1785.

This is followed by an unsigned certification, evidently Rafael Perdomo's, which reads, in part: Pursuant to the fore-going decree, he certifies that no will, nor any other disposition, has been executed before him, nor has one ever been filed with the Archives in his charge for Divina Dubout, Widow Collet. New Orleans, January 15, 1785.

Certified copy of a Procuration.

Know you to whom this letter comes, that I, Antonio Prevo(st), resident of this city, grant my full

and entire power of attorney to Pedro Daspi(t), so that in my name and representing my own person he may assist at the taking of the inventory of the estate left by Divina Dubout, at her death, and for this purpose he may present himself before the Justices of His Majesty, with all the necessary written documents and papers up to the conclusion of these proceedings. I grant him the power he needs, without limitation, with free, frank and general administration, with the faculty to enter suit, to swear, to substitute, to revoke substitutions, and to name others, with relevation, to the fulfillment of which I obligate my present and future estate, and I give, as inserted, the guarantee clause and renounce the laws in my favor and in general that prohibit it. And in testimony whereof, this letter is done in the city of New Orleans, on January 26, 1785. The Escribano attests that he knows the grantor, who signed, the witnesses being Francisco Lioteau, Adrian de la Place and Santiago Lemert, residents of this city, here present. (Signed) Antonio Prova (Prevost); Fernando Rodriguez, Notary Public.

This conforms to the original, executed before me, and that remains in my possession and archives, to which I refer, and upon the request of the party I give the present, written on two sheets of paper, on the day of its date. In testimony of the truth. Cross and Flourish. (Signed) Fernando Rodriguez, Notary Public. Clerk of the Cabildo and Government.

Decree.

New Orleans, January 26, 1785. Considering that Divina Dubout died intestate, leaving major and

minor heirs, His Honor said that in order to have some one to represent the minors, he names Pedro Bertonière, Procurador Publico del Numero, as their Curator ad lites, who must accept, take oath and give bond, and Antonio Mendez, defender of Mrs. Prevost and Mrs. Auricoste, heirs of age. He must also accept and take oath, and done let the matter be returned to the Court.

Acceptation, oath and bond.

In the city of New Orleans, on the said day, month and year (January 26, 1785), the Escribano per-

sonally notified Pedro Bertonière of the foregoing decree, who said he accepted and did accept and swore by God, Our Lord, and the Cross, according to law, to proceed well and faithfully in the defense of the minors. And Miguel de San Juan Gomez, being present, said that he constituted himself bondsman for the said Pedro Bertonière and obligated himself to defend the Collet minors, well and faithfully, and in case of necessity to take counsel of conscientious persons, versed in such matters, who can and must advise him. Thus they have executed and signed, the witnesses, here present, being Luis Lioteaud, Jose Becat and Santiago Lemaire, residents of this city. (Signed) Miguel Gomez; Pedro Bertonière, Before Fernando Rodriguez.

Notification, acceptation and oath.

On the said day, Antonio Mendez, Procurador Publico del Numero, was personally notified. He said he accepted and did accept and swore by God, Our Lord, to proceed with the defense of the heirs of age, and he signed, to which the Escribano attests. (Signed) Antonio Mendez, Before Fernando Rodriguez.

Pedro Bertonière, Curator to Pedro Bertonière asks to make an inventory and appraisement of the Dubout the Collet minors, heirs of Divina Dubout, in the proceedings to settle her intestate succession, petitions,

saying that it is convenient to the rights of his clients to make an inventory and appraisement of the property left by her. Renato de Kernion rules: Send this petition to Antonio Mendez, defender of the heirs of age.

Antonio Mendez, defender of Antonio Mendez answers to say he offers Mrs. Pob (Prevost) and Mrs. Aurino objections to the taking of the invencoste, in the intestate succession of Divina Dubout, in answer to

Mr. Bertonière's petition, which has been delivered to him, states that it is convenient to the rights of his clients to take an inventory, as requested, therefore he asks the Court to order as prayed. Alcalde de Kernion rules: Send this petition to Pedro Daspit, holding the power of attorney of Antonio Prevot (Prevost), heir of age of Divina Dubout.

Pedro Daspit, acting for An-Pedro Daspit consents to the taking of tonio Prevost, answers to say that an inventory. he agrees to the taking of an inventory of the property left by Divina Dubout, Alcalde de Kernion receives this petition and on January 31st decrees:

Whereas, with the consent of the Decree. parties, proceed with the making of an inventory and appraisement of the estate left by the late Divina Dubout.

Pedro Bertonière petitions to Pedro Bertonière asks to name his apsay that the Court has ordered an inventory and appraisement made of Mrs. Dubout-Collett's estate, and pursuant to this decree, he names Francisco Lioteau as his appraiser and asks Alcalde Kernion to rule that the other interested parties do likewise. Renato de Kernion decrees: Let the Party Mr. Bertonière names be appointed. He must accept and take oath in the customary way. Notify Mr. Mendez to name his.

In the city of New Orleans, on Notification, acceptation and oath. the said day, month and year (February 1, 1785), the Escribano personally notified Francisco Lioteau of the foregoing decree, and he said he accepted and did accept and swore by God, Our Lord, and the Cross, according to law, to proceed with the estimation that he has been ordered to make. Mr. Lioteau signed, to which the Escribano attests.

Antonio Mendez names Josef Antonio Mendez names an appraiser. Beca (t) as his appraiser and asks to have this appointment confirmed. Alcalde Kernion rules: Let the appointment this party specifies be confirmed. Mr. Becat must take oath in due form of law.

On the said day, Josef Becat was Notification, acceptation and oath. notified, and he said he accepted and did accept and swore by God and the Cross, in conformity to law, to proceed well and faithfully (with the duties of his appointment), and he signed, to which the Escribano attests. (Becat failed to sign.)

aside for taking the inventory.

Pedro Bertonière sets forth that Pedro Bertonière asks to have a day set the Court has ordered the taking of the inventory of the Dubout-Collet estate, therefore he prays to

have a day assigned for this purpose. Alcalde Kernion rules; Let tomorrow (February 6, 1785) be set aside for the taking of the inventory.

In the city of New Orleans, on Inventory. February 6, 1785, Renato Huchet de Kernion, Junior Alcalde of this city and its jurisdiction for His Majesty, went to the dwelling house of Divina Dubout, Widow Collet, to make an appraisement of the house, furnishings and a mulatto left by her at her death. There were present, Francisco Lioteau and Josef Becat, appraisers, named for this purpose. Pedro Bertonière and Antonio Mendez, attorneys, were also present. The interested parties proceeded in the following manner:

Firstly, a lot of ground measuring 15 feet front by 60 deep on Burgundy Street, upon which a little house, 10 feet wide and 30 feet long, has been erected, built of wood, covered with shingles, and with one brick chimney. The said house is adjoined on one side by Mrs. Prevost's real property and on the other by Miguel Medezinguer's (Metzinger.) The experts estimated this ground and improvements at. Pesos

improvements at, 1 esos	100
A quadroon, named Bernard, 12 years old, valued at	500
1 large earthen jar	6
1 foot-tub	1
1 bed with two mattresses, one feather, the other straw	6
4 pots	1
1 chest	
3 chairs	3
Total	040

Because there was nothing else to appraise, His Honor suspended the proceeding. He signed, with all the interested parties, to which the Escribano attests. (Signed) Rene Huchet de Kernion; Pierre Daspit; Antonio Mendez; Pedro Bertonière. Before Fernando Rodriguez.

Pedro Bertonière petitions to have Mrs. Prevost declare whether Mrs. Collet left any other property.

Pedro Bertonière, curator of the Collet minors, grandchildren of Divina Dubout Collet, states that the inventory and appraisement

of her estate has been made, therefore he prays to have

[Feliciana Bijoux], widow of Pablo Prebot (Prevost), an heiress, with whom the decendent lived, swear and declare whether she knows of any thing else belonging to the estate. And done deliver her statement to him. Alcalde Kernion rules: Let Mr. Pre-

Public Calls.

vost swear and declare to the contents of the above, as requested; entrust the taking of her deposition to the Escribano, and done deliver same to the petitioner.

In a second petition the Curator of the approval of the inventory of the Dubout-Collet estate has been finished, therefore he prays to have it approved and all interested parties ordered to abide by it. Renato de Kernion orders the above sent to the heirs of age.

Antonio Mendez also petitions for an sets forth that, considering the request for the approval of the inventory.

The defender of the heirs of age sets forth that, considering the request for the approval of the inventory of the Dubout-Collet estate that has been sent to him, after having examined it carefully, he finds that it has been well made, therefore he prays to have it approved and all parties condemned to abide by it. Alcalde de Kernion receives this petition and on February 12, 1785, decrees: Whereas, with the consent of the parties, he approves the inventory and estimation made of the property left by Divina Dubout, at her death, and in consequence

property left by Divina Dubout, at her death, and in consequence His Honor said he must condemn and does condemn the parties to abide by it.

The Curator of the minor grandPedro Bertonière asks for the Public children of Mrs. Collet states that
the inventory of her estate has
been finished (and approved), therefore he prays to have it cried
for sale as the law requires. Alcalde de Kernion rules: Let
the estate be publicly called for sale as the law requires.

The three Public Calls are made on February 13th and 21st and

again on March 2nd, by the Public Town Crier.

On March 14, 1785, Pedro Bertonière asks to have a day tonière avers that the three public calls have been made, therefore he prays to have a day set aside for the Auction. The Court rules: Let the following day, the 15th of the current month, be set aside for holding the Auction. Notify the interested parties to this effect.

In the city of New Orleans, on the fifteenth of March of one thousand seven hundred and eighty-five, Renato Huchet de Kernion, Alcalde Ordinario of this city for His Majesty, went to the dwelling house of the late Divina Dubry (Dubout), Widow Collet, to effect a sale of her estate. Pedro Bertonière, Antonio Mendez and Pedro Daspit, representing the interested parties, were also present. His Honor ordered the items listed in the inventory cried by the Public Town Crier. This he did, saying: Let the one who wishes to bid on a piece of land measuring 15 feet front by 60 deep, on Burgundy Street, upon which a small

house has been built, 10 feet wide by 30 long, constructed of wood, with one brick chimney, adjoined on one side by Widow Paul Prevost's place and on the other by that of Miguel Meduenguer; a mulatto named Bernardo, aged 12 years; a small water jar; one foot-tub; 1 bed with 2 mattresses, one feather, the other straw; 4 pots; one small old chest; 3 chairs; let him appear and make an offer for the above items, which must be sold to the highest bidder by 12 o'clock today, to be paid for within one year. At this point Ilario Butet (Hilario Boutte) appeared and bid 150 pesos on the house, which was received by His Honor and ordered cried. Josef Beca(t) also appeared and offered 160 pesos on the real property, which was admitted and cried. Widow Pablo Prevost offered 180 pesos for same. Josef Becat bid 190 pesos. Mrs. Prevost out bid him, offering 200 pesos. This last offer was received and cried. Ilario Boutte offered 500 pesos for the mulatto, which was admitted and cried. Theresa, a free negress, bid 550 pesos for the boy; Josef Becat offered 560 pesos; then Theresa offered 565 pesos, which was received and cried. One named Dubois bid 11/2 pesos on a small earthenware jar. Widow Collet bid 2 pesos on 1 chest and 4 very old pots, and these articles were adjudicated to her, as the best and highest bidder. She then offered 8½ pesos for the bed and 2 mattresses, which were also adjudicated to her. Mrs. Simon appeared and offered 2 pesos 4 reales for 3 straw chairs, and received them as the only bidder. Dubois bid 4 reales for 1 bucket and 1 old foot-tub, and as the best bidder he received these articles. And as no other effects were inventoried, His Honor concluded these proceedings, after the crier had called the last bids made by these several bidders, who obligated themselves to comply with the conditions of the sale. All signed with His Honor, to which the Escribano attests. (Signed) René Huchet de Kernion; Antonio Mendez; Pedro Bertonière. Before Fernando Rodriguez.

Decree.

New Orleans, March 1, 1785. As it is indispensable to have a guardian of the estate who will receive the payments of sums owed to this succession and who will pay out what the estate owes, His Honor said that he named (space left for name) [Feliciana Bijoux], widow of Pablo Colet (Prevost?), as guardian of the estate; let her be notified for her acceptation and oath, and done deliver these proceedings to Pedro Bertonière, Curator ad lites to the Colet minors, so that he may promote whatever may be convenient to the interests of his clients. (Signed) De Kernion. Before Fernando Rodriguez.

In the city of New Orleans on Notification. the said day, month and year (March 16, 1785), the Escribano personally notified Widow Pablo Prevost of her appointment by the foregoing decree. She said she accepted and did accept and swore by God, Our Lord,

and the Cross to proceed well and faithfully with the guardianship of the said estate, and she signed. (Signature omitted). Before Fernando Rodriguez, Clerk of the Court.

Pedro Bertonière sets forth that Pedro Bertonière asks for a taxation of they have finished taking the inventory and completed the sale of the estate, therefore he prays for a taxation of costs, so that

the account and sworn statement may be rendered. Alcalde de Kernion rules: Let the taxation of the costs of the case be made by Luis Lioteau, after he has accepted and taken oath.

On the said day (July 26, 1785), Notification, acceptation and oath. Luis Lioteau was personally noti-

fied, and he said he accepted and did accept and swore by God, Our Lord, and the Cross to proceed well and faithfully with the duty assigned to him. (Signature omitted). Before Fernando Rodriguez.

Taxation of Costs.

On July 23, 1785, Luis Lioteau

Account and Sworn Statement.

taxes costs at 57 pesos 5 reales. Maria Prevost, Widow Oricoste (Auricoste), presents 10 vouchers

with her account and sworn statement. These vouchers are receipted bills and are as follows:

1-I have received 4 piastres from Mrs. the Widow Auricoste for the (pall) bearers for the burial. For which I give her quittance, this November 10, 1784. (Signed) Simon Girau.

2—Mrs. the Widow Collete, in this city, owes Delagrou &

Jourdin, as follows:

Delivered 1 tub ... 6 escalins Repairing of 1 ditto 4

1 P. 2 E.

Received the above mentioned amount from Mrs. Auricoste, December 12, 1784. (Signed) Delagoue.

3—The late Mrs. Collette owes:

1 piastre for the place she has occupied in the Church and 2 Escalins for vinegar. New Orleans, January 13, 1785. (Signed) Durand.

4—For treatment given Mrs. Collet, namely:

From October 18, 1784 to the 30th of last month. For care and attention 8 piastres

8 piastres

New Orleans, November 17, 1784. Received Payment. (Signed) Marcier.

5-I have received 10 plastres from Mrs. Oricose that the late Mrs. Colete owed for one small lounge made by my negro. (Signed) Moro.

6—I have received 151/2 piastres from Mrs. Oricoste for the care of Mrs. Collette. (Signed) Widow Bonnarine.

10 P. 4 E.

Received from Mrs. Widow Auricoste, the amount mentioned above. New Orleans, November 12, 1784. (Signed) Le Duc.

Written across the back: Mrs. Colette Prevost, Widow, 101/2 piastres.

8—The late Mrs. Colete owes Deflandre for one iron door bolt, 1 piastre; for 3 decorated pitchers, 1 piastre; for 1 coffin, 5 piastres, making in all 7 piastres. Received Payment. New Orleans, November 23, 1784. (Signed) Deflandre.

9—Statement for the burial and funeral ceremonies for the late Mrs. Colet:

For the funeral	3 - 2
For the assistance of 1 priest	1 - 4
For 2 Singers and 3 acolytes	2 - 4
For the Cross and censer	1 - 4
For the bells	3 -
For the Pall	1 -
For the grave	1 -
For the wax tapers	4 - 4
For 3 Masses for the soul of the deceased	3 -
For the Sacristan	1 -

Total ______ 22 Ps. 6 Rs.

New Orleans, November 1, 1784. (Signed Fr. Antonio de Sedella.

10—I certify to have built a chimney for the late Mrs. Collet for 7 piastres. I have received 2 piastres of this amount, on account leaving a remainder of 5 piastres still due. Mrs. Auricoste has paid this amount in full.

Done in New Orleans, November 11, 1784. Received payment today.

Not knowing how to write, this creditor's ordinary mark was made, namely: a cross within a circle, and around the inner rim is written: Ordinary mark of Jacques Mafford. Witness, Champion. Received 5 piastres from Mrs. Auricoste.

Account and sworn statement that Maria Prevost, Widow Auricoste, guardian of the estate of her mother, Divina Dubout, gives of the funds belonging to her succession.

Assets

Firstly, she enters 200 pesos received for the house	Assets		
The second entry is 565 pesos paid for the salve, Bernardo The third item is 19 pesos realized on the furniture The fourth is an entry of 300 pesos her mother deposited with her before she died The fifth item is 71 pesos due the succession from Felicite Bichu, the remainder of a larger sum owed her mother Liabilities Firstly, she enters 22 pesos 6 reales paid to Father Antoine de Sedella for funeral expenses, No. 1 She enters in the debit the sum of 5 pesos paid the negro, Santiago, according to his receipts, No. 2 An item of 7 pesos paid, according to receipt, No. 3 10 pesos 4 reales paid to Dr. Leduc, as his receipt shows, No. 4 She also enters 10 reales paid to Luis de la Grue, according to his receipt, No. 5 8 pesos paid to Mr. Mercier, according to his receipt, No. 6 Entered 10 pesos paid to Mrs. Moro, according to her receipt, No. 7 4 pesos paid to Mr. Girard, according to his receipt, No. 8 Entered 15 pesos paid to Widow Bouclair, according to her receipts, No. 9 Entered 1 peso 2 reales, paid to the Junior Mr. Duran (d) for having distributed the candles used at the funeral, as appears from his receipt, No. 10*. *[Translator's Note:—See voucher signed by Durand. It specifies that 1 piastre is for the place occupied by Mrs. Collet in the Chruch and the 2 escalins is for vinegar.—L. L. P.] 57 pesos 5 reales paid for these proceedings, as shown by the receipt, No. 11 She further adds 12 pesos paid to the person who has drawn up this account and sworn statement, according to his receipt, No. 12 12 –			
The third item is 19 pesos realized on the furniture		200	Pesos
The third item is 19 pesos realized on the furniture		FCF	
The fourth is an entry of 300 pesos her mother deposited with her before she died		909	
The fourth is an entry of 300 pesos her mother deposited with her before she died		19	
deposited with her before she died		10	
The fifth item is 71 pesos due the succession from Felicite Bichu, the remainder of a larger sum owed her mother		300	
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ment, according to his receipt, No. 12 12 –	who has drawn up this account and sworn state-		
		12	-
		1 - 4	•

Recapitulation

Assets	1155	
Charges and deductions	. 154	- 3
Liquid Remainder	1000	_ 5

Mrs. Auricoste declares that this account is well and faithfully made, save error. (Signed) Widow Auricoste.

Mrs. Auricoste prays to have her accounting accepted.

Maria Francisca Prevost, Widow Auricoste, sets forth that in the suit to settle the succession of her

mother, Divina Dubout, she was ordered to give an account and sworn statement of the funds of the estate. Therefore she duly presents her accounting and prays the Court to receive it and to condemn the other parties to abide by it. Renato de Kernion, on Juan del Postigo's advice rules: Send this petition and the accounting to the defender of the heirs of age.

Contestation of the account and sworn by Antonio Mendez, defender of the heirs of age of Divina Dubout, contests the Account and Sworn Statement presented by Maria

Prevost, Widow Auricoste, as guardian of the estate left by the deceased. He proceeds in the following manner:

Debit

Mendez accepts the amounts paid out according to vouchers, namely:

Paid Father Antonio de Sedella	22	_	6
The negro, Santiago Segundo	5	_	
Paid to one named De Flandre	7		
Santiago Leduc	10	_	4
Luis de la Grue	1	_	2
To Mr. Mercier	8	_	
Mrs. Moro	10	_	
Mr. Girard	4	_	
Widow Bouclar	15		
Mr. Durand, Jr.	1	_	2
Costs of the Case	57	_	5
For drawing up Mrs. Auricoste's account	12	_	
Mr. Mendez adds 12 pesos, as his fees for this con-			
testation	12	-	

Total Assets1155 Charges, etc.166 - 3

Remainder 988 - 5

Mr. Mendez swears by God and the Cross that this accounting is well and faithfully made, save errors of the pen and omission. New Orleans, October 6, 1785. (Signed) Antonio Mendez.

Antonio Mendes petitions to have his heirs of age of Divina Dubout, in answer to the petition and account-

ing sent to him, states that having examined the latter carefully, he has drawn up his own accounting, which he duly presents and prays the Court to order all parties to abide by it. Alcalde Kernion, on Assessor's Postigo's advice, rules: Send this accounting and petition to Pedro Bertoniére.

Pedro Bertonière contests Mrs. Auricoste's accounting.

Pedro Bertonière, defender of the minor heirs of Divina Duburt, contests the Account and Sworn Statement presented by Maria Prevost, Widow Auricoste, as guardian of her mother's estate. He proceeds in the following manner:

Debit

(2011년) 전 : 1012년 전 1012년 1012년 1212년 1212년 1212년 1212년 1			
Pere Antoine's bill	22	-	6
The negro, Santiago	5	_	
Mr. Deflandre		-	
Santiago Leduc		-	4
Luis de la Grue		-	2
Mr. Mercier		-	
Mrs. Moro	10	-	
Mr. Girard		-	
Mr. Duran(d), Jr.	1	-	2
Costs of the case	57	_	5
For the person who drew up Mrs. Auricoste's ac-			
count	12	_	
To Mr. Mendez for his statement and examination			
of documents	12	_	
To Mr. Bertonière for his statement and examina-			
tion of documents	12	-	
	178		3
Total Assets1155	110		
Charges etc. 178 - 3			

Mr. Bertonière swears by God and a Sign of the Cross that he has made his accounting well and faithfully, save errors of the pen and omission. New Orleans, (space left for the day), 1785. (Signed) Pedro Bertonière.

976 - 5

Pedro Bertonière petitions for the appro-

Pedro Bertonière sets forth that he has carefully examined Mrs. Auricoste's accounting and Mr.

Mendez' contestation of same, and he now presents his and prays to have it approved and all parties condemned to abide by it. Alcalde de Kernion receives this petition and later decrees:

Decree.

In the city of New Orleans on October 14, 1785, Renato Huchet de Kernion, Junior Alcalde of this city for His Majesty, having examined the records, said: That he must approve and does approve the accounting presented by Maria Prevost, together with the contestation of Antonio Mendez, defender of the heirs of age of Divina Dubois. His Honor further declares that he must condemn and does condemn the parties to abide by both, and for greater force and validation he interposes and does interpose his authority and judicial decree in as much as he can and must according to law. For this is his decree, thus he has provided, ordered and signed. Fees 3 pesos. (Signed) René Huchet de Hernion; Licenciado Postigo.

The record ends here and therefore is unfinished.

[Translator's Note:-The names and family connections mentioned in this succession are not clearly stated. By consulting a later entry of January 20, 1785, it would seem that Divina Dubout's husband was named Colet-Prevost, the first part appearing under various spellings, namely: Colect, Colet, Collet and Collett, etc. There were apparently three children: Antonio Prevost; Maria Francisca Prevost, widow of Pablo Auricoste; and Pablo Prevost or Collet, who married Feliciana or Felicite Bijoux, Bijous, or Bichu, who left two minor children, whose first names are not given.—L. L. P.]

January 17.

Marine Protest.

Juan Helay (Healy) petitions to prove that through distress, it was necessary to put into the Harbor of Guarico.

No. 63. 14 pp.

Court of Intendant Martin Navarro.

Assessor, Juan del Postigo.

The record opens with the clearance papers issued to Juan Healy on stamped paper used in Cuba. It bears the Seal of Spain, under Carlos III. The inscription, below a Maltese Cross, reads: 1/4 of a real. Stamp one-fourth, 1/4 of a real for the years 1784 and '85. Within the circle surrounding the Arms is printed: Carlos III, by the Grace of God, King of Spain. The following appears in script:

Raymundo de Onis, Administrator General of the revenues of the City of Havana and the Island of Cuba, and Head of the Posts (Postal Department) of America for His Majestey.

Escribano, Rafael Perdomo.

This proceeding illustrates the legal formalities by which the captain of a ship proves that his departure from the chartered course was due to stress of weather, and that he was not to blame for deviating from his course or for damage sustained by the ship and cargo on the voyage. This proof released him from liability for apparent violation of the Spanish navigation laws, as well as from any claims for damages to ship or cargo on the voyage.

The Court of the Intendant entertained this suit, since it had jurisdiction over all cases involving violation of the navigation acts and enforcement of the revenue laws.

Señor Don Juan Ignacio de Urriza, Pensioned Knight of the Distinguished Spanish Royal Order of III: member of Majesty's Council and Intendant General of the Army and Royal Treasury of this Island, by decree of July 17, of the present year, has granted permission to Juan Heale, Captain of the brigantine, named the Hercules, to leave this Port for New Orleans, with a cargo of produce and effects from this Island, in accordance with His Majesty's decree in His Royal Cedulas, sent to this Administrator General of

the Royal Custom House, and under the superintendence of Francisco Antonio de Astigarreta, the shipments that the Captain has collected, have been registered together with what has been assigned to him as freight, namely:

1. On July 20th Juan Heale registered 40 boxes of sugar, marked in the margin [J. M.], 20 of them containing white sugar, weighing 286 arrobas, [25 pounds], 10 pounds, and the other 20, broken boxes, containing 290 arrobas, for the account and risk of Juan Macarty to be delivered to him in accordance with his letter in the said Captain's possession.

The above shipments are made in the terms that have been specified and are the same that have been registered for the respective interests of both parties and that the said Master, Juan Heale, acknowledges to have received. He leaves an obligation and bond executed for all, that God carrying him safely, he will deliver the said shipments to the ones to whom they have been consigned and that within six months he will present in this office the necessary legal documents from the Administrator of the Custom House at New Orleans, that will verify delivery. He signed the present under the superintendence of Francisco Antonio de Astigarreta. Havana, July 28, 1784. (Signed) Josef de Orue.

Under my superintendence. (Signed) Francisco Antonio de Astigarreta.

Just as soon as the loading of the ship has been finished, send this registration to Juan Ignacio de Urriza, Pensioned Knight of the Distinguished Spanish Royal Order of Carlos III, Member of His Majesty's Council and Intendant General of the Army and Royal Treasury of this Island, for his information, and if he finds it convenient, may it please him to order what is necessary. Havana, July 28, 1784. (Signed) Raymundo Onis.

This registration being in accordance with the Royal Cedulas for free commerce, the inspection having been concluded and closed, let it be delivered to the party. (Signed) Urriza. Before me, Josef Alvarez, Chief Clerk for Registration.

Juan Helat (Healy), Captain Captain Healy petitions to present wit- and Master of the brigantine, Hernesses to testify in his behalf. cules, presents himself and sets forth that, as may be proven from the registration duly accompanying this petition, he cleared from Havana for this Port, with a cargo of sugar. Just as soon as he set sail the ship ran into storms and, as a result, the sails, riggings and their scanty provisions were destroyed, the Hercules continued to take water and also met with contrary winds and currents, which caused them to pass out of the bay and made it necessary to put in at Guarico, in distress and to make repairs, therefore to prove what he has said, may it please the Court to receive the testimony of the witnesses he will present, who, under oath, in due form of law and without delay, must declare to the truth of this representation, and done deliver their depositions to him to promote what may be convenient to him. Martin Navarro, on Juan del Postigo's advice, rules: The registration having been presented, let the testimony this party offers be received. Entrust the taking of the depositions to the Escribano, and done deliver them to Captain Healy.

In the city of New Orleans, on Declaration of the first witness. the said day, month and year (January 17, 1785), Captain Healy, for the testimony he has offered and has been ordered to give presents, as a witness, Gregorio Forsa, Second Captain and Quartermaster of the Hercules, who took oath by God and the Cross, according to law, under charge of which he promised to speak the truth, before the Escribano, and when examined upon the tenor of the foregoing petition, he said they cleared from Havana for this city and that just as soon as they reached the sea they ran into storms and cross currents which forced them out of the bay, and while in this bearing their tackle and riggings were destroyed, they also suffered from lack of provisions, so they put into Guarico, in distress, for repairs. He declared that what he has stated is the truth under charge of his oath and that he is 45 years old. The witness signed, to which the Escribano attests. (Signed) Gregrio Fisa. Before Rafael Perdomo.

The second witness.

Miguel Anrry, a sailor on board the Hercules, testifies that they cleared from Havana for this Port and that on the way they encountered terrible storms together with strong currents, which caused them to seek a safe harbor when they were forced out of the bay, and as a result of the high winds their ship was much damaged, and with a scarcity of food, under the circumstances it was thought best to go to Guarico.

Lorenzo Guizar, a sailor, declared they cleared from Havana for this city and that a few days after their departure they were overtaken by a bad storm together with very strong currents, which obliged them to pass out of the bay, and finding themselves in this bearing, with sails and riggings much damaged and lacking food, the Captain decided to go to Guarico immediately, so as to repair the losses the ship had sustained, and when these repairs were finished they continued their voyage to this city, where they arrived the second of the current month.

Fourth witness. Thomas Cantel, a sailor, said they cleared from Havana, on the

above named ship, on the date already mentioned, for this Port, and that a few days after beginning the voyage they ran into bad storms, with strong currents that forced them to pass out of the bay, and finding themselves in this bearing, the Captain decided that because the sails and riggings were much damaged and provisions scarce, to go to Guarico, since it was nearer, to gather fresh supplies and repair their losses, and when finished they continued their course to this Port where they arrived the second of the current month.

Joseph Valles, a sailor, states they cleared from Havana, on the said ship, for this Port, and that a few days after the voyage began, they were overtaken by a big storm, accompanied by strong currents that drove them to windward of the said Port and forced them to pass out of the bay, and when they found themselves in that bearing, because of lack of provisions and with the riggings and sails in bad condition, the Captain decided to go to the nearest Port, which was Guarico, to replace their losses. They then followed their course to this city, where they anchored the second of the current month.

Francisco Miguel, a sailor, testifies that they cleared from Havana for this city, on the *Hercules*, and it seems to him that in a few days after starting their voyage, they ran into heavy storms with strong currents, that carried them to windward of the Island of Cuba, forcing them to pass out of the bay, in which bearing, their sails and riggings having been very much damaged, they were obliged to put in at Guarico, which was the nearest harbor they could seek in distress, to repair their losses, and when the said repairs were finished they continued their course to this Port, where they anchored the second of the current month.

Captain Healy avers that the Juan Healy petitions the Court to declare his voyage to Guarico legal.

Captain Healy avers that the records of the case have been delivered to him, together with the testimony of his witnesses, and that from their depositions the truth of what he has set forth in his first petition has been proven, therefore may it please His

Lordship to declare his conduct as lawful and that it was for the best interests of the principal owner of the ship and its cargo and was not through fraud, a disregard for the Royal Laws, nor malversation, and for greater force and validation to interpose his authority and judicial decree. Martin Navarro, on Juan del Postigo's advice, receives this petition and on January 21, 1785, decrees: Whereas, send this petition to the Fiscal.

The Fiscal declares the voyages to states: That considering the proceedings instituted by Juan Healy

to justify his voyage to Guarico, in distress, after having cleared for this Port, and all the rest he has averred to Your Lordship, and that when the records of the case were delivered to the said Captain, pursuant to Your Lordship's decree of the twenty-first current, he answered by asking to have his abovementioned voyage declared as lawful, and since the deposition of the witnesses he has presented agree with what he has set forth, namely, that bad storms and strong currents have forced him to do what he has done, in consequence whereof the Fiscal offers no objections, so that Your Lordship may declare it as such and may make whatever decision that may be in accordance with justice. (Signed) Juan Ventura Morales. Martin Navarro, on Juan del Postigo's advice, receives this petition and later decrees:

In the city of New Orleans on January 25, 1785, Martin Navarro, Intendant General of this Province, having examined these records, said: That he must declare and does declare the voyage to Guarico, in distress, as lawful, and further declares that it was through no fault of the said Captain, nor was it through malversation, nor lack of intelligence on his part, and in order that the foregoing decision may have effect, he interposes and does interpose his authority and judicial decree in as much as he can and must. Fees 4 pesos, received. (Signed) Martin Navarro; Licenciado Postigo.

[Translator's Note:—There is a discrepancy in dates. The Fiscal's opinion is issued January 31, 1785, whereas judgment rendered in accordance with it is dated January 25, 1785. The first date should probably be January 21, 1785.—L. L. P.]

Captain Healy petitions for a taxation of costs and a copy of these proceedings. Healy petitions to say that in the supposition that this proceeding is finished, he prays for a taxation of costs by the present Escribano, and that the latter provide him with a certified copy of this entire case, so that by means of same he can convince the lawfully interested parties of the truth of what has occurred. Intendant Navarro, on Assessor Postigo's advice, rules: As it is prayed in all. The record ends without a taxation of costs.

January 18.

Josef Villavaso vs. Alexo Reau(d).

No. 81. 84 pp. Court of Governor Esteban Miro.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

To cause the Defendant to render an account of an estate under his administration.

[Note: "Incomplete" is written in French on the fly leaf.—L. L. P.]

This suit is of interest to the student of the legal history of Spanish colonial Louisiana for the procedure involved in collecting and distributing among the rightful heirs the proceeds arising from the sale of merchandise and personal effects belonging to a merchant who died in New Orleans whilst sojourning there on private business. Some of the legal heirs lived in France and others in Moscow, Russia. Just before his death in New Orleans, the deceased had added a Codicil to his last will and testament, naming a New Orleans merchant as his testamentary executor and fiduciary; and this suit is instituted at the instance of the absent heirs to compel this New Orleans merchant to account for the merchandise, funds and effects left in his hands at the time of decease of the foreign merchant, and to effect transfer of said proceeds to the rightful heira abroad.

For the student of the social and economic history of Louisiana at that date, the case presents many items of interest, such as: the fees allowed the testamentary executor for his duties in the settlement of the estate (25% of the proceeds); the itemized costs of a funeral; the types of merchandise brought to New Orleans by the deceased merchant for sale, with the prices at which these articles sold; the charges for room, board, laundry, nursing, medical care and medicines, and other items of expense incurred by the deceased while he resided in New Orleans; the freight charges on goods transported from Santo Domingo to New Orleans, and the insurance premiums charged on such merchandise while in transit; the retail prices paid by the deceased for sundry articles bought in New Orleans; the valuation placed upon certain standard foreign coins found in the possession of the deceased; the list of personal effects left by the deceased, with the valuations placed upon them; etc.

The French Copy of a Power of Attorney, previously filed on pages 1, 2, 3 and 4, has been removed; however, it appears later in a Spanish translation. The suit begins with page 5, which is a petition from Josef Villavaso, Administrator General of this Province, who sets forth that, as may be noted from the power of attorney, duly presented, he has been authorized to demand an accounting from Alexo Reau (d), a merchant of this city, and to take over from him the property he holds in his possession, testamentary executor guardian of the estate left by the late Luis Doraison. Therefore, may it please the Court to order the defendant to deliver the said estate to the plaintiff, so that he may promote whatever may be for the best interest of his clients. Governor Miro, on Assessor Postigo's advice, rules: The power of attorney having been presented, let it be translated by Juan Josef Duforest, and done send it, with this petition, to Alexo Reau (d).

Notification, acceptation and oath.

On the said day, month and year, Juan Josef Duforest, Public Interpreter, was personally notified, who said he accepted and did accept and swore by God and the Cross, according to law, to proceed well and faithfully with the translation he has been ordered to make, and he signed, to which the Escribano attests.

Translation.

In the city of New Orleans, on January 21, 1785, Juan Josef Duforest, in accordance with the foregoing decree, made the follow-

July 1, 1783.

ing translation:

Procuration.

Before Pedro Martin, Vice Consul for France in Moscow and its dependencies, was present: Mrs. Mrs. Juana Teresa Dendon, widow of Juana Teresa Dendon, widow of Alexandro D'Oraison and tutrix to his children, to Messrs. Harmensen & Company of Bordeaux.

Mrs. Juana Teresa Dendon, widow of Juana Teresa Dendon, widow of Alexandro Doraison, a merchant of Moscow, residing in merchant of Moscow, residing in

this city, Street (space left for name), Parish of Saint Nicolas, both in her own name and as tutrix appointed with the consent and advice of relatives and friends, by written act executed before the aforesaid Consul, dated June 26th of the same year (1783), for Luis and Bernard Doraison, minor sons of the late Mr. Doraison and herself, in the presence of the undersigned witnesses, has made and constituted as her general and special attorney, Messrs. Harmensen & Company, residents of Bordeaux, to whom she grants the power to execute, or cause to be executed, all that is specified in her late husband's procuration, dated February 13, 1783, drawn up on that day before the abovementioned Vice Consul, for the purpose of causing Messrs. Clermont Brothers, Merchants of Cap Français, Santo Domingo, to give an account of the sums of money they hold belonging to the late Luis Doraison, brother of the deceased Alexandro Doraison and paternal uncle of Luis and Bernard, a legalized copy of which is now in the said attorney's possession, as may be proven from his letter written from Bordeaux, dated the 19th of last May, together with Mrs. Doraison's procuration granted to the aforecited attorney so that for her and in her name he may cause Alexo Reaud to give an amicable account of the part of the Doraison succession in his keeping, at New Orleans, as appears from the late Luis Doraison's Codicil, dated in New Orleans, May 30, 1778, and to require him to give all receipts, acquittances and legal discharges, and in case of refusal on Reaud's part, to prosecute him in the Courts until the entire estate will be delivered to her attorney, or to all or any persons commissioned to this effect, empowering him or them to receive the whole succession and any sums of money that have been delivered to the said Reaud, or that he may have acquired, in accordance with Mr. Doraison's Codicil, and for these her attorney will give the necessary discharges.

The Tutrix further empowers her attorney to hold in his possession all sums of money (and commodities) he will receive, both in Cap Français and in New Orleans, in virtue of these presents, until such time as he can dispose of them for the benefit and interest of Luis and Bernard, her minor sons. And in case of a refusal to turn over the money by either Messrs. Clermont of Cap Français or Mr. Reaud of New Orleans, to institute all necessary proceedings for the purpose, compelling them to defend themselves in Court until definitive sentence will be pronounced, to oppose, etc., to appeal, etc., to elect domicile, to substitute one or more attorneys, for all or a part of the present procuration, revoking them and substituting others, and in general to do all that will be necessary for Mrs. Doraison's benefit and interest, and in her name promising, etc., obligating, etc. Done and executed in the Chancellor's Office of the Vice Consul of France where the original remains. These presents have been sealed with the Royal Seal and signed by Mrs. Doraison together with the Vice Consul and witnesses, in Moscow, July 1, 1783, Old Style (Julian Calendar). (Signed) J. T. Dendon, widow of Alexandro Doraison; Luis Ellen, in the presence of J. L'Aronce; P. Martin. Registered in Bordeaux by Abanere.

We, Pedro Martin, Vice Consul for France in Moscow and its dependencies, certify that the foregoing copy agrees, word for word, with its original that remains in our Chancellor's Office. In testimony whereof, we have signed the present certification, and at the end of which we have affixed the Royal Seal of the Vice Consulate of France. Moscow, July 1, 1783, old style. (Signed) P. Martin, with seal in red sealing wax.

We, Martin de Lesseps, Consul General of France in Russia, certify and attest that the above signature is the true one of Pedro Martin, Vice Consul of France in Moscow, and that entire credit must be given to it in justice as well as outside of it, in accordance with the ordinances. In testimony whereof, we have signed and delivered the present, countersigned by the Chancellor of the Consulate, who placed the Royal Seal, in Saint Petersburg, on July 10, 1784? (1783). (Signed) Lesseps; and, further down, Patot Dorflans. With Seal in red sealing wax.

May 14, 1784. Paraphed.

Attesting to the truth and paraphed Ne varietur on the back of the act of substitution on this day, May 14, 1784, before the Counsellors of the King, undersigned Notaries of Bordeaux. (Signed) Harmensen & Company, with Barbaret and his partner, Notaries.

May 14, 1784. Substitution of Procuration.

Before the Counsellors of the King, undersigned Notaries of Bordeaux, appeared:

Messrs. Harmensen & Company, merchants and residents of Chan-

trons, Parish of Saint Remy, of this city, acting in his capacity as substitute attorney for Juana Teresa Dendon, widow of Alexandro Doraison, wholesale merchant of Moscow, in virtue of the Procuration of the first of last July, executed before Pedro Martin, vice consul in Moscow, Russia, registered this day in Bordeaux, by Abanère, which remains here attached, duly certified to as true and marked ne varietur, to be despatched with these presents: The said Mrs. Dendon, acting as tutrix for Luis Doraison, second of the name, and Bernard Doraison, her sons by the late Alexandro Doraison, having taken oath in the said capacity of tutrix, before the Vice Consul, June 28th of last year, and the said Luis and Bernard Doraison, acting for themselves, as their father's heirs, who was in turn heir to his brother. Luis Doraison. the first of the name, a merchant of Cap Français, who died in New Orleans, April 9, 1778, for whom Messrs. Harmensen & Company have, by these presents, substituted and constituted in their place, as general and special attorney for Mrs. Dendon, widow of Alexandro Doraison, tutrix, Josef Villavaso, who in accordance with the procuration here attached and these presents, must recover, in New Orleans, whatever belongs to the succession of the late Luis Doraison, the first of the name, and compel those in charge, the debtors of the estate, particularly Alexo Reaud, resident of New Orleans, Mr. Doraison's fiduciary, to make delivery and to count into the hands of the substitute attorney the sum of 20308 livres 8 sols, the liquid remainder held in his possession since March 2, 1779, which he must produce, together with an itemized statement of accounts that will be examined and contested; the said substitute attorney will receive the full amount, give receipts and necessary discharges to the debtors and those who have had charge of the estate; he is empowered to prosecute, institute legal proceedings and judicial summons, even to convene experts and arbitrators, to treat, compose, compromise, comply and convey, in any manner whatsoever, to agree, conclude,... elect domicile, and substitute, by virtue of these presents, which will be valid until revoked, notwithstanding the time, and generally, etc., promising, etc., obligating, etc.

Done and executed in the Archives of Bordeaux, on the morning of May 14, 1784, and they signed with the Notaries. A copy of the present written document is made in a duplicate and delivered to the interested parties; the original is recorded in Bordeaux by Arbanere and remains in the possession of Barbaret, one of the Notaries. (Signed) Harmensen & Company; Dufant; Barbaret.

We, Josef Sebastian de Laroze, Counsellor of State and in the Parliament of Bordeaux, Presiding Officer of the Garrison, Lieutenant General for the Jurisdiction of Guienne, Conserver of the Royal Privileges of the University, Royal Provost, of Lombrière, certify that Messrs. Dufant and Barbaret who have signed the

above are Notaries of this city and that credit must be given to the acts they sign in this city. Given in Bordeaux, in our Palace, on May 21, 1784. (Signed) Delaroze.

This translation has been made well and faithfully according to my legal knowledge and understanding, and in testimony whereof I sign. (Signed) Juan Josef Duforest.

Josef Villavaso complains that the defendant does not answer.

In the proceedings that Josef Villavaso has instituted to cause Alexandro Reo (Reaud) to render

an account of the funds he holds in his possession, belonging to Mr. Doraison's estate, that were delivered to him, as his testamentary executor, whose heirs the plaintiff has been appointed to represent, etc., the latter sets forth that his previous request, presented on the 10th (18th?) of the current month, and sent to the defendant, has remained unanswered up to now, therefore he prays the Court to order it returned, pursuant to the decree that will be rendered to this petition. Governor Miro, on Juan del Postigo's advice, rules: Let the defendant answer for the first audience; issue summons to that effect.

The plaintiff petitions to have the records taken by judicial compulsion.

Josef Villavaso petitions, avering that in accordance with his foregoing representation it has

pleased the Court to order the defendant to answer at the first audience, with summons, etc., and the said time and much more, for his appearance, has elapsed since then, without any response from him, therefore he prays Governor Miro to order a minister of justice to take the records from Mr. Reaud by judicial compulsion. Esteban Miro, on Juan del Postigo's advice, decrees: Let the records be removed by judicial compulsion, as requested.

First marginal note reads.

Perdomo attests that Alexo Reaud holds these records.

Second marginal note.

Decree.

I removed these records by judicial compulsion, without answer.

Rights to taxation. (Signed) N. Fromentin (Deputy Sheriff.)

The plaintiff petitions for legal advice from the Assessor General.

Mr. Villavaso again petitions, this time to say that the records of the case have been

removed by judicial compulsion, without any answer from the defendant, therefore he prays the Governor General to order them sent to the Auditor of War and Assessor General (Postigo), so that he may advise the Court on the sentence that should be rendered. Governor Miro, on Juan del Postigo's advice, rules: As it is

prayed. Notify Alexo Reau (d) that, within six days, he must

give an account of the estate left by Luis Doraison, at his death, as Josef Vihavaso has requested him to do, with a warning that if he does not render his statement he will be compelled to do so by means of a Minister of Justice, with daily fees six reales. (Signed) Miro; Postigo.

Vouchers filed with the account and sworn statement.

Pages skip from 18 to 41 and then to 43. These pages are the original vouchers that

have been removed. However, they appear later in the Spanish translation. No. 23, the first bill filed, reads: Received 39 pesos from Mr. Reaud for the Codicil copied for him and the proceedings instituted for the sale of Mr. Luis Doraison's estate. New Orleans, May 18, 1778. (Signed) Almonester.

39 pesos 2 " Including the 5 pesos he collected, and it also contains the sum of 5 pesos he paid for the

recovery of a certain sum. (Signed) Almonester.

No. 24.

The certified copy of a receipt drawn up before a No-

tary and reads: Know you that Pablo Segond, resident of this Port and city, acknowledges to have been paid the sum of 983 pesos 6 reales, current money, in full, by Alexo Reaud, of this vicinity, in accordance with a definitive sentence, dated October 21st of the present year, in the proceedings instituted by him against the said Reaud, as testamentary executor and guardian of the late Mr. Doraison's estate, pursuant to the Power of Attorney, dated January 21st of the said year, conferred upon him by Messrs. Clement Brothers, merchants of Cap Français, to enable him to collect a debt owed by the said Doraison, as has been more minutely set down in the said proceedings executed before the present Escribano, and because this amount remains in Second's keeping, he is contented and acknowledges that it has been delivered to him, and he renounces the exception of non numerata pecunia, etc., and draws up a formal receipt in Alexo Reaud's favor, relieving him of all further responsibility for the sum he has held, assuring him that at no future time will either he, or any other attorney, take action against him, for any reason whatsoever, and for the security and validity of what he has stated, he obligates his present and future estate, under the authority and submission to His Majesty's Justices and the guaranty clause which he inserts for its fulfillment, and as regards the said proceedings and all documents presented therein, he hereby declares them to be null, void, cancelled and of no value, nor effect. In testimony whereof, done in the city of New Orleans, December 20, 1784. The Escribano attests that he knows the grantor, who signed with the witnesses here present, Manuel Galvez and Manuel Monrroy.

Note: At the time of attesting to this written instrument, the grantor had been paid the sum mentioned therein, in full, by Alexo Reaud, on the first of the current month, dated as above. The witnesses to this document were the same as to the foregoing. To all of which the Escribano attests. (Signed) Pablo Segond. Before Rafael Perdomo, Notary Public.

This conforms to the original executed before me and that remains in the Archives in my charge, to which I refer, and upon the request of the party, I give the present on 5 pages of common paper, stamped paper not being in use here, the same day, month and year of its execution. Cross and flourish. (Signed) Rafael Perdomo, Notary Public. Fees, with the original, 28 reales.

No. 25.

Alexo Reaud exhibited 43 pesos before Rafael Perdomo,

the full amount of the costs for the suit brought against him by Pablo Segond to collect a sum of pesos. New Orleans, December 8, 1784. (Signed) Rafael Perdomo.

Amount 43 pesos

983 - 4 - $\frac{1}{2}$ Paid to S. (P) Segond. 1036 - 4 - $\frac{1}{2}$ (? 1026 - 4 - $\frac{1}{2}$

In the Name of God Almighty, Amen. Know you to whom this letter comes, that Luis Doraison, a resident of New Orleans, born in Orpierre, in Dauphiny, France, legitimate son of Luis Doraison and Theresa Bonefoy, both deceased, is ill in bed, but in full possession of his will, memory and understanding, with which God, Our Lord, has been pleased to endow him, and that he believes firmly in the ineffable Mystery of the Trinity, Most Holy Father, Son and Holy Ghost, Three Persons really distinct and of one true essence, and in the Incarnation of the Word Divine made Man for our redemption in the pure womb of the Virgin Mary, Mother of God and Our Lady, and in all other articles and mysteries that Our Holy Mother, the Catholic and Apostolic Church, reigned over and governed by the Holy Spirit, holds, believes, confesses, preaches and teaches, under which faith and belief he has lived and professes he will hold until he dies. He fears death, which is natural to all creatures, because its hour is uncertain, and foreseeing that his has arrived he wishes to make a codicil in accordance with the faculty provided by law, considering that he has already drawn up his will, with all necessary and requisite formalities, in Cap Français, January 4th of this year, which is his last and final will that must be safeguarded, fulfilled and executed in all its contents, without exception or innovation, and in manner whatsoever, together with what is contained in this codicil, that is as follows:

Firstly, it is his wish that if God, Our Lord, should be pleased to take him, during the time he resides in this city, that his body be interred in the cemetery here, in the part where it is customary to bury all faithful Christians, leaving his funeral arrangements to the wishes of his Testamentary Executor.

It is his will that three Masses be said for his soul and that an alms of 2 reales be given once for each one of the forced bequests, which must be taken from his estate.

He declares that when he came to this city from Cap (Français) he brought a small cargo of freight made up of several kinds of merchandise and effects, some he sold, but a part remains, as may be proven from his account books, for thus he declares in testimony whereof.

It is his will that his funeral expenses be paid after his death, and that the remaining merchandise and effects be sold to the best advantage, his testamentary executor to send the proceeds from this sale, by the most direct way possible, to the place where his brother, Alexandro Doraison, lives, and if the latter has died, the said proceeds must be delivered to his oldest son, in case he has one, and if he has none, the testator constitutes for his universal heirs, in equal parts, Juan Doraison, his youngest brother, a resident of Paris, and Margarita Doraison, his sister, of Orpierre, in Dauphiny, and failing these, to their legitimate children, heirs to those he has named in his will, so that what he has set forth may be complied with in every particular, for such is his wish.

And so that all the abovesaid may have due fulfillment, he gives the necessary power, required by law, to Alexo Reaud, a resident of this city, a person in his confidence, so that in his capacity as fiduciary he may receive any property that might be in New Orleans, for such is his will.

It is his wish, that at his death his will be executed in all it contains, with the exception of what he has ordered in this codicil to his last testament, in the best form that may have place in law. It is his wish that it be carried out and fulfilled in all its parts.

In testimony whereof, this instrument is done in the city of New Orleans, March 30, 1778. The Escribano is acquainted with the testator, who attests that he knows the latter to be in full possession of all faculties. Thus he executed and signed, the witnesses here present being Juan Bautista La Porta, Pablo Segundo (Segund) and Fernando Rodriguez, residents of this city. (Signed) Luis Doraison; Pablo Segundo; Juan Bautista La Porta; Fernando Rodriguez. Before Andres Almonester y Roxas, Notary Public.

Note: Almonester certifies that Luis Doraison died April 9, 1778. This agrees with the original executed before Almonester that remains in his possession and Archives, to which he refers, and upon the request of the party he gives the present on six sheets of common paper, stamped paper not being in use in this city. New Orleans, April 9, 1778. In testimony of the Truth. Cross and Flourish. Andres Almonester y Roxas, Notary Public.

Account and Sworn Statement presented by Alexo Reaud, as the late Luis Doraison's fiduciary, of the estate left by the latter, at his death, proceeding from the sale of his proprety, which was placed in the said Reaud's possession.

Assets

Firstly, he credits the sum of five hundred and twenty-six pesos, one and one-half reales, found in cash money, as appears from the inventory (not in- cluded in this record)	1	-	11/2
Item, he also enters 500 pesos, the full amount realized from the sale of a mulatto belonging to the decedent's estate, sold to Gilberto Antonio (de) St Maxent	9	-	
He also enters 1981 pesos in the credit, the ful amount paid for the merchandise sold, as appears from the said inventory	3	-	
Item, he enters 400 pesos 5 reales in the credit realized from the sale of the decedent's clothes, sold to different persons	1	-	5
He also enters 4318 pesos 3 reales in the credit the full amount of notes and bills owed by different persons to the deceased	t	-	3
Full amount of Assets	7726	-	11/2

Debit

He also enters 1465 – 4 in the debit, the onefourth of the estate that belongs to him by reason of his having acted as fiduciary, to which office he had been named by the deceased, as may be proven from the codicil to his will duly presented.......1465 – 4

3330 - 3

Recapitulation

	of Assetsdeductions			
Remainder		4395	_	61/2

As has been shown in the foregoing statement, a balance remains in favor of the heirs of the late Luis Doraison, amounting to four thousand three hundred and ninety-five pesos, six and one-half reales, which he holds in his possession at the disposition of the Court. (Signed) Alex. Reaud.

Alexo Read petitions to have his actual pursuant to the last decree

rendered by the Court, he has submitted his Account, with vouchers to prove collections and disbursements, therefore he prays to have it accepted, as presented, and to have all parties condemned to abide by it. Governor Miro, on Assessor Postigo's advice, rules: The account having been presented, let it be sent to Josef de Villavaso.

Josef de Villavaso sets forth that The Plaintiff answers, objecting to the second entry in the debit. presented by Alexo Reaud has

Alexo Reaud petitions to say

been given to him, and after having examined it carefully he finds what concerns the Credit and the first article of the Debit correctly made, but cannot consent to the second and last entry in the said Debit unless the Court declares that this is the remuneration that must be allowed him as his commission for administering and settling the estate. Esteban Miro, on Juan del Postigo's advice, receives this petition and later decrees:

Decree.

In the city of New Orleans, on the twenty-third of April of the year one thousand seven hundred and eighty-five, Esteban Miro, Colonel of the Fixed Regiment of this Place, Governor ad interim here, having seen the records said: That he must approve and does approve the accounting presented by Alexo Reaud, together with Josef de Villavaso's contestations, and condemns the parties to abide by same, and that the said Reaud be paid 1465 pesos 4 reales, for his commission as fiduciary, which is the one-fourth part of 5861 pesos 2 reales, the sum total of the succession. There still remains a liquid balance of 4395 pesos 6 reales, out of which the costs of the case must be paid. For this is his decree, thus he has decided, on the advice of his Auditor of War, to which the Escribano attests. Assessor's fees 6 pesos. (Signed) Esteban

Miro; Licenciado Postigo.

The plaintiff petitions, averring Josef Villavaso petitions for a certified that the proceedings have been concluded, therefore he prays the

Court to order the present Escribano to provide him with a certified copy of the entire suit, executed in public form, in a manner that will have credit, and he will promptly pay all just and due fees. Governor Miro, on Assessor Postigo's advice, rules: As it is prayed, upon the payment of all just fees.

delivered to him.

The plaintiff petitions to say Josef de Villavaso prays to have the bills that the certified copy he requested translated into Spanish and the originals in the foregoing representation has not been drawn up because

the bills are in French, therefore, to verify same, may it please the Court to order them translated by Juan Josef Duforest, and done attach them to the records of the case and deliver the originals to him with the certified copy of the rest of the suit that has been prosecuted. The Court rules: As it is prayed. (Signed) Miro; Postigo.

On the said day (May 2, 1785), Juan Josef Duforest, Public Interpreter, was personally notified, and he said that he accepted and did accept and swore by God and the Cross, according to law, to proceed well and faithfully with the translation he has been ordered to make, and he signed, to which the Escribano attests. (Duforest failed to sign.)

Translation of the vouchers.

In the City of New Orleans on the fourth of May of one thousand seven hundred and eighty-five, I, Juan Josef Duforest, in accordance with the foregoing decree, made the translations in the following manner:

Alexo Reaud, Testamentary Executor for the late Luis Doraison, owes for the funeral, namely:

For 5 pairs of men's gloves, at 4 reales each	2	-	4			
8 pieces of gauze, at 4 reales	4	-				
54 wax candles, at 3 reales	20	-	2			
				26	-	6
For the coffin				4	-	
For six men to carry the body				6	-	
For the burial	3	_	2			
For the Deacons						
For Vespers			2			
For the cope						
For the Cross and pall						
	12	_		36	_	6
Full amount brought forward				4.50		9354
For the censer and censer bearer	1	_	4			
For the bells	3	_				
For 2 singers	2	_				
For 5 acolytes		_	6			
For the Beadle and Mace-bearer	2	_				
For the grave	1	_				
For 3 Masses bequeathed by will			2			
For a negro to guard the body				25	-	4
Received sixty-two pesos two reales				62	-	2

New Orleans, April 10, 1785. Durel, Majordo Parish Church, Mr. Dor	mo of the aison owes
Another, No. 2. Braquier:	
Delivered on his order to Pedro Guernon, 1	
beaver hat 5 - Delivered to his servant, 22 pounds of loaf sugar 5 -	- 4
	A STATE OF THE STA
10 -	- 4
Received from Alexo Reaud, Testamentary Execulate Mr. Doraison, the above ten pesos four reales. Ne April 13, 1785. Braquier.	w Orleans,
No. 3. Received from Mr.	
late Mr. Doraison, the sum of 100 livres 12 sols 6 de iron pots sold to the said Mr. Doraison. New Orleans	niers for 2 s, April 15,
Declaration, No. 4. Declaration made by I son of various kinds of the Modester Contain Lyin Coll.	
dise, shipped on board the <i>Modesta</i> , Captain Luis Gall for his account, destined for Louisiana, namely. 1—1 bale containing 18 pieces of deep blue polonese (cloth from Poland), measuring 47634 ells, at 3 livres 7 sols 6 deniers.	ot, Master,
2—1 the same, of 12 pieces of 250 ells, at 3 livres	750-
3—1 the same, 6 pieces of 150 ells, at 40 sols	
Brought forward	2659-10-1 2659-10-1
4 and 5—2 bales containing 5 half pieces of linen sail cloth, measuring 240 ells, at 45 sols	540-
6—1 the same, of 12 pieces of polonese, measuring 450 ells, at 3 sols	1350-
7 and 8—2 the same, containing 50 dozen cotton handkerchiefs, at 30 livres	1500-
9—1 bale of 20 pieces of polonese, measuring 524 ells, at 40 sols	1048-
at 40 sols	675–
	1350-
12—1 trunk containing 32 pieces of polonese of 835 ells, at 40 sols.	1672-
13—1 the same, containing gloves and ordinary linen for sheets, amounting in all to	1440-
14—1 chest containing 60 pieces of handkerchiefs cloth at 24 livres	1440-

15—1 trunk containing 15 pieces of royal linen half pure, 280 ells, at 5 livres	. 1400–
Brought forward20 boxes of soap, weighing 845 pounds, at 66	15074-10-1 15074-10-1
livres the hundredweight	558–15 . 375– . 240–
o boxes of water of jumper, at 50 hvres	16248_ 5_1

I certify that the above declaration is true. New Orleans, February 7, 1778. Doraison.

This translation has been made well and faithfully to the best of my knowledge and understanding, and in testimony whereof I signed. (Signed) Juan Josef Duforest.

In the city of New Orleans, on the said day, month and year, I, the abovenamed Interpreter, continued the translation that I have been ordered to make in accordance with the foregoing decree. It is as follows:

Bill, No. 5.	For the straw bed	4	pesos	4	reales
For the mosquito		8			
		2			
For the bed		3			
The room for 5 d		1		2	
3 pounds of cand	les			4	
		23		2	

Received from Alexo Reaud, in charge of the late Luis Doraison's succession, the sum of 116 livres 5 sols (23 pesos 2 reales), for what was sold to him according to the above bill, New Orleans, April 28, 1778. (Signed) Laporte.

Statement for medical treatment given Mr. Doraison, from March 13 to April 9, and also for medicines, labor and care, 67 livres; Bill receipted, New Orleans, April 23, 1778, upon payment of the debt by Alexo Reaud. (Signed) Couturier.

The Succession of the late Mr. Doraison, merchant, owes 10 pesos for the full amount due for treatment, medicines, labor and care, given and administered to him from the 5th of last February until the following March 13th. New Orleans, April 13, 1778. Received payment from Alexo Reaud, merchant, testamentary executor of the deceased. Montegut & Company.

Receipt, No. 8.

New Orleans, February 27, 1778. Mr. Doraison owes Estevan Barre

for goods delivered, namely:

I, Luis, Captain and Master, Bill of lading, No. 9. L. D. after God, of the ship named the Modesta, of 100 tons burden, now anchored before Cap (Francais) waiting for the first favorable wind to make the voyage to New Orleans, where I shall have the right to discharge the cargo, I acknowledge to have received on my vessel, shipped by Messrs. Poupet Brothers, the following merchandise, numbered and marked, on the outside, all dry and well conditioned, namely: 16 trunks, bales and packages of dry goods, 12 boxes of juniper berries, 3 barrels of flour, 40 boxes of soap, 40 cases of oil and 1 gold watch, all sent to Mr. Doraison at his risk and to his account, which I promise to deliver to him and in case of his death, to Mr. Miguel Poupet, as his representative, saving the dangers and fortunes of sea, from which God protect us, and for the fulfillment of the above agreement, I have, by these presents, obligated and do obligate, my person, estate, the said ship, its cargo and equipment, retaining one of these bills of lading for myself, which will be my proof of claim to collect payment for freight charges for the said merchandise, the amount for same will be adjusted in New Orleans, together with damages and customary fees. In testimony of the truth, I, the abovenamed Master, have signed 4 bills of lading, of the same tenor, and when one has been carried into effect, the others will be of no value. Done in Cap, January 4, 1778. And on the back is written: Received from Mr. Alexo Reaud, Testamentary Executor of the late Luis Doraison, the sum of 400 livres, for the freight charges specified in the other part. New Orleans, May 13, 1778. Luis Gallot.

I have made this translation well and faithfully according to the best of my knowledge and understanding, in testimony whereof I have signed. (Signed) Juan Josef Duforest.

In the city of New Orleans, on May 6, 1785, I, the said Interpreter, continued the translation in the following manner:

Receipt, No. 10.

Mr. Doraison owes Mr. Boronier 1 peso5 livres

Received payment from Mr. Reaud. Boronier.

Receipt, No. 11.

Receipt, No. 11.

Receiptd from Mr. Reaud 3 livres 15 sols, for the full amount due for 2 bottles of beer delivered to the late Mr. Doraison. New Orleans, May 17, 1778. Astier.

Bill, No. 12.	Statement of what Mr. Doraison owes Catarina Detrehan (Destre-
han) namely:	
For 28 days and 2 n	ights at 1 peso 30 Pesos.
For expenditures	
For 30 days at 3 rea	les each, makes 4 - 7
For 1 basket of wine	9 1 – 2
For some plum jelly	6
For preparing whey	for 11 days, at 1 real a day $1-3$
	Ps 40 - 21/4

Received the sum of 201 livres 16 sols from Alexo Reaud. New Orleans, May 25, 1778. Not knowing how to write, I have made my Cross mark.

150 Livres.

I have received the full amount mentioned above from Alexo Reaud, in charge of the (Doraison) succession. New Orleans, June 1, 1778. Latrocesse.

I have received from Mr. Reaud, Testamentary Executor of the late Mr. Doraison, the sum of 20 hard pesos, in payment for my work, care and washing clothes, that I have done during Mr. Doraison's illness. New Orleans, June 16, 1778. (Signed) for Angelica, a free negress, P. Aubry.

I have received the sum of 170 livres, money lent to the deceased, from Mr. Alexo Reaud, his testamentary executor. New Orleans, April 27, 1778. Miguel Fortier.

I have made this translation well and faithfully according to the best of my knowledge and understanding, and in testimony whereof I have signed. Juan Josef Duforest.

In the city of New Orleans, on the said day, month and year, I, the said Interpreter, continued the translation I have been ordered to make, in accordance with the foregoing decree, which has been done in the following manner:

Good for 10 livres for 1 case of good liquor, delivered at Mr. Reboul's house, April 16, 1769. Doraison. Received from Mr. Reaud, the full amount mentioned in the other part. New Orleans, June 3, 1778. G. Guignan.

Bill, No. 17.	Debt Mr. Doraison owes to Mar-
10 10	millon, namely:
10 pounds of sugar	r at 2 reales 2 - 4
	olate 1 -
2 flasks of honey	1 -
1 small box of sw	eets (candies) 4
	1 -
1 woolen blanket	
	$\overline{13-6}$
Dessined 19 mans	s 6 reales from Alexo Reaud, who is in
charge of the late Mr. tember 13, 1778. Marn	Doraison's succession. New Orleans, Sep- nillon.
Receipt, No. 18.	We have received from Alexo
	Reaud, Testamentary Executor of
the late Mr. Doraison,	the sum of 1125 livres Tournois (money
minted at Tours, Fran	ce), refunding the money paid for the pre-
mium on an Insurance	e policy of 30,000 livres taken out on the ptain Gallot, Master, making a voyage to
ship, the Modesta, Car	ptain Gallot, Master, making a voyage to
	raison's order. New Orleans, October 22,
1778. Poupet Brothers	
Rill No. 19	Luis Doraison owes Durel,
Bill, No. 19. 1778, Feb. 4.	namely:
1 paper of black p	ins 2)
	namely:
1 hair-bag	1 -)
Brought forward	1 _ 9
1 small sand for a	cono C)
1 small cord for a	cane -6 -6 silver, 3 Portugueses (Portuguese
1	1 - 4
Countril to him in	- 0)
Counted to him in	silver, 3 Portugueses (Portuguese
coins)	3 glasses with stems 25 - 4
Feb. 9.	3 glasses with stems 3
1 small water jug,	with its cover 6
1 china inkstand	1 -
Feb. 24.	1 small box guava jelly 1 -
March 17.	1 water pitcher 4
1 large jar of hor	ney 2 -
March 19.	For cloves, nutmeg
	and cinnamon 4
	h to April 9th, I have supplied Mr.
Doraison with bread at	$\frac{1}{2}$ real a day, 60 loaves in all $3-6$
	Pesos 40 - 6

Received 40 pesos 6 reales from Mr. Reaud, Testamentary Executor of Luis Doraison. New Orleans, November 21, 1778. (Signed) Durel.

I pray Juan Lyonnois to pay Messrs. Boudet, or bearers of this order, the sum of 500 livres, from the first money realized on the merchandise and bills collected that he has in his possession belonging to me, the remainder due for all accounts with the said gentleman. New Orleans, November 6, 1769. Doraison. Accepted, Juan Lyonnois.

And on the back is written: Paid by me to Mr. Durel's order, the full amount stipulated in the other part, for value received in cash. New Orleans, November 15, 1769. Juan Boudet.

Received 125 livres, on account, from Mr. Lyonnois, for the sum mentioned on the other side. New Orleans, January 12, 1772. Durel.

I have made this translation well and faithfully according to the best of my knowledge and understanding, and in testimony whereof I have signed. Juan Josef Duforest.

In the city of New Orleans, on May 7, 1785, I, the abovesaid Interpreter, continued the translation I have been ordered to make, in the following manner:

Petition, No. 21. Durel, resident of this city, with due respect, sets forth, that as appears from the note already presented, the Doraison estate owes him 75 pesos, and as Alexandro Reaud is guardian of same he prays the Court to order him to pay this debt. New Orleans, September 24, 1785. Intendant Martin Navarro rules: Let the above petition be sent to the Testamentary Executor of the late Mr. Doraison for what is legal.

I recognize the signature of the attached order to be that of the late Mr. Doraison. Alexo Reaud, Testamentary Executor of Luis Doraison, deceased.

Mr. Reaud, Testamentary Executor, is ordered to pay Mr. Durel's claim within three days. Navarro. Received 375 livres from Alexandro Reaud, Testamentary Executor, as a remainder on a note, and 5 livres for costs. New Orleans, November 21, 1778. (Signed) Durel.

Good for 2 trips of the cart. Doraison.

No. 22.

Good for 1 trip of the cart. Doraison.

Good for 3 bottles of champagne at 3 livres a bottle, in hard pesos. Doraison.

Accounting.

Receipts for sums paid to various persons for debts contracted by the late Luis Doraison, while living, and for others that seem

to have been made in his name, after his death. All payments are as follows:

Paid for funeral expenses, according to receipt	311- 5-
To Mr. Braquier, according to his bill	52-10-
To Mr. Aubry	5-12-6
To Mr. Aubry	540-
To Mr. Laporte, according to his bill	116 9 6
To Couturier, Surgeon	6.1-
To Montegut "	50-
To Barre	5-
To Captain Gallot, for freight on merchandise	400-
To Boronier and Sombridero	7-10-
To Astier	
To Catarina Detrehan (Destrehan)	201-16-
To Latrougge	150
To Latrousse	100
To the negress, Angenca	100-
	2010 11
	2010-11-
Full amount brought forward	2010–11
Paid to the Junior Mr. Fortier	170-
To Guignan	
To Marmillon	68-10
To Poupet Brothers for premium on insurance that	00-10
they have paid for the late Luis Doraison's account	1105
To Dural	
To Durel	203-15
For a remainder due on an old note signed by the	
deceased	380-
For 3 trips of the cart	
For 2 death certificates	10-
To Andres (Almonester), Notary, for the will, or	
codicil, copies, and fees for the sale of effects at auction	205-
1 note signed by the deceased	6-
a note bigined by the deceased	
	4191-12-6
Brought forward	4191_12_6
H (H) 이렇게 열어 있어 (H)	1131-12-0
December 1st, 1784. To Pablo Segond, by order	
of the Judge, as appears from the records the sum of	
ords the sum of	
To Perdomo for costs of the Court 43-	
$1026 - 4\frac{1}{2}$	
Reducing pesos to livres at the rate of 5 livres to	
the pesos	
	10-0
Livres	9324_ 8_9
There made this turnelation well and faithfulled	- 4h - h 4

I have made this translation well and faithfully to the best of my knowledge and understanding, and in testimony whereof I have signed. Juan Josef Duforest.

In the city of New Orleans, on the said day, month and year, I, the said Interpreter, continued the translation in the following manner:

Inventory of the effects belonging to the late Luis Doraison's succession, such as cash money, merchandise, (his servant, a mulatto slave), bills to collect, a note, the same, clothes, etc., all actually found immediatey after his death by me, Alexo Reaud, in charge of the said succession, in the presence of Messrs. Miguel Poupet, Aubry, Fortier and Perrauld, namely:

Current money

197 pesos, at the rate of 5 livres		
	985	
(to the peso)L. 15 Portuguese coins at 42 livres		
10 soles	607	
82 pesos in small change, at 5		
livres	410	
2 doubloons of 8, at 80 livres	160	
1 doubloon at 4	20	
A one-half doubloon	10	
80 pesos in small change, at	400	
5 livres	400	
1 Scudo of France		0001
In English money	2–10	2631
A mulatto slave sold to Mr. Maxent		
for cash		2500
Tor cash		2000
Merchandise found and so	ld as follows	•
62 pieces of polonese sold at	5056- 3	
		5131-
Full amount brought forward.		5131-
7 pieces of royal linen sold at		
8 dozen Bayonne handkerchiefs	815-	
21 dozen India linen and silesia handkerchiefs	400	
9 dozen and 8 pairs of embroid-	490-	
ered gloves	874-	
100 dozen packages of gold and	014-	
silver buttons, containing 222 gross,		
small vest buttons	9141-	
1 barrel of gun powder	65-	
3 barrels of flour	197-10	
0 6		
8 cases of wine containing 225	1010	
8 cases of wine containing 225 small bottles	318–15	
small bottles		

10-

1 pound of quinine.....

6 pairs of linen thread stockings 2 vests and 1 pair of silk embroidered trousers	18 – 60–	
1 gold watch	225–	9905–4
Amount brought forward	l	15036-4 15036-4
	(41	
Clothes, etc. Sold by Don Andr	es (Almone	ester):
32 shirts and 25 cravats	243-15	
25 handkerchiefs	93–15	
28 pairs of stockings, thread, or wool	45-	
3 pairs of silk stockings	22-10	
2 pairs of sheets	57-10	
10 pairs of cotton, or linen, trous-	31-10	
ers	25-	
2 pairs of long cotton trousers	15-	
8 pairs of drawers and 2 head	10	
pillows	37-15	
11 linen, or woolen, vests	85-	
19 vests, the same	21- 5	
1 piece of cotton wadding	50-	
1 mosquito bar	35-	
3 worn out vests	27–10	
	759-00	15036-4
Full amount brought forward	759-00	15036-4
10 cloaks and 5 pairs of woolen	100-00	10000 1
trousers	27-10	
1 coat, vest and pair of woolen	210	
trousers	75-	
1 the same, of brown cloth	27-10	
1 the same, of blue cloth	37-10	
1 camlet frock coat		
1 linen coat, vest and trousers \	62-10	
1 the same, of blue cotton		
1 cloth of gold vest sold to Mr.		
Despres	60-	
2 mattresses, 2 pillows		
1 straw bed		
	70-	
1 bed and 2 shades, 1		
very bad	00 10	
2 hats	22-10	
43 volumes of different books	98–15	
1 silver cover	30-	
14 silver buttons and 1 silver	90	
buckle sold amicably	36-	

1 gold watch and chain sold to Mr. Fortier according to valuation	330-	
Full amount brought forward	1736- 5 1736- 5	15036-4 15036-4
		10000-1
1 silver sword	125-	
1 small gold-headed cane	30-	
1 water jar	10-	
4 tin dishes and 2 iron pots	5-	
4 trunks, large and small, and 2		
pairs of shoes	47-10	
1 mahogany cabinet with its glass		
flasks	80-	

2003-1

Bills and notes to collect from persons indebted to the deceased, according to the entries in his book, namely:

A bill owed by Mr. Braquier	3268-	
One by Guignan	306-13- 9	
Another by Bertrand	460-1-3	
One by Marmillon		
One by Dubertrand		
One by Cavelier, Jr.		
Another by Mateo Autard	216-	
	6079-14- 7	17039-19
Full amount brought forward	6079-14- 7	17039-19
A bill owed by Astier		
The Junior Mr. Jung's bill	2156-17- 1	
Mr. Brion's	877- 7- 6	
Mr. Pomet owes		
Mrs. Songy owes		
Mr. Aubry owes		
Mr. Laporte		
The Junior Mr. Braquier	. 138-	
Mr. Beausoliel	. 272- 3- 9	
Catarina, the mulattress	. 191–	
Vicente RieuxL.		
Guignan	1121- 7- 6	
Dominico Lunardin	. 226-10-	
Coffigny		
Durel		
Mr. Fortier	. 1200-	
Andres (Almonester)	. 300–	
Brought forward	17898-16- 9 17898-16- 9	
Diought forward	.11000-10- 0	

Mr. Duforest	2991-	
Beauregard	105-	
Robert, a traveller	166-15-	
Maria Daupen	30-	
Guerbois, for a remainder	161- 5- 3	
	21351–16–	
A note from Luis Gallot, for money lent by the late Mr. Doraison	240-	21591–16
		38631-15

Found in a portfolio:

A bundle of papers seeming to belong to Mr. Gourrige, of Cap, in a law suit against one named Lemelle.

An acknowledgment from Mr. Marmillon for the sum of 10 pesos, seeming to belong to Messrs. Chevally and Clement, of Cap.

I certify that the present inventory contains the effects, in general, belonging to the succession of the late Luis Doraison, honestly and truthfully made. New Orleans, April 10, 1785.

We, the undersigned, attest to have been present at the taking of the inventory of the effects belonging to the late Luis Doraison's succession, which was made by Alexo Reaud in charge of same, and that all conforms exactly to what has been set forth in detail, in the said inventory. In testimony whereof we have signed the above to serve when suitable. New Orleans, April 10, 1785. (Signed) Perrauld; Fortier, Jr.; Miguel Poupet; P. Aubry.

I have made this translation well and faithfully, according to the best of my knowledge and understanding. In testimony whereof I have signed. (Signed) Juan Josef Duforest.

In the city of New Orleans, on May 14, 1785, the Escribano, pursuant to the foregoing decree, delivered to Josef Villavaso, Administrator General of the Royal Revenues of this Province, the original bills presented by Alexo Reaud, in these proceedings, from pages 19 to 40 inclusive, and also those of pages 42, 49, 56, and 57, the said gentleman acknowledges to have received the above noted bills and draws up a formal receipt for same which he signed. The witnesses, here present, were Francisco Canesses and Miguel Monrroy, to which the Escribano attests. (Signed) Josef de Villavaso. Before Rafael Perdomo, Notary Public.